

## EXTENSIONS OF REMARKS

CERTAINTY UNDER SUPERFUND: A  
CATALYST FOR INCREASED  
SMALL BUSINESS LENDING

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. LaFALCE. Mr. Speaker, the issue of cleaning up the environment remains as critical today as it did 13 years ago, when we began our efforts to seek a Federal response to environmental problems resulting from release of hazardous substances. The response was the Comprehensive Environmental Response, Compensation and Liability Act or Superfund. At the same time, the need for credit for business has been a key issue for us and the people of this country.

As chairman of the Small Business Committee and a member of the Banking Committee, I have seen the convergence of these two issues in one area—that is—the problems created by erroneous court decisions interpreting the Superfund law's exemption for secured parties for environmental problems they did not cause. The solid waste law, the Resource Conservation and Recovery Act [RCRA], poses similar liability issues for lenders. The risk of unjustified liability has increased the reluctance of banks to lend at a time our economy can afford it, and has, in fact, damaged efforts at environmental cleanup.

## THE SOURCE OF THE PROBLEM

Through judicial erosion of this exemption, lenders, small businesses, and indeed, the environment have suffered. Uncertainty has produced tight credit, unnecessary costs and even the denial of credit for certain type of borrowers. Ironically, all of this has happened in the face of fairly clear action by the Congress in 1980, to exempt from liability secured parties who do not cause environmental harm.

These problems have been thoroughly aired in hearings before the Small Business Committee. A positive response was forthcoming from the Environmental Protection Agency [EPA] in 1992. EPA promulgated a rule that clarifies that simply holding indicia of ownership primarily to protect a security interest should not create liability for the lender for environmental problems created by others. However, under the rule, actions which directly lead to environmental harm do create liability. I join EPA in that reasoning.

This rule is an enormous step forward. But it is not enough. In calling for legislative and regulatory action over the past 4 years, I have been motivated by the needs of both small business and the environment.

Small businesses often face the most difficulty in borrowing and are required, frequently, to have unusually strong collateral, generally their real and personal property. Any hint of additional costs to a lender may preclude the extension of credit. This manifests it-

self in two areas, where environmental contamination is already known or may occur. If a small business engages in a line of commerce that may produce any environmental risks, such as dry cleaners, construction firms and builders, convenience stores and gas stations, creditors may simply refuse to make a loan, to avoid the threat of liability inherent in the court decisions. If a small business operates in an area of existing environmental harm, then a lender may require extensive preloan testing for contamination to protect itself, which makes any loan simply uneconomic for many businesses.

The environment suffers as well. Lenders, guarantors, mortgage and title insurers, and secondary market players all are wary of undertaking secured arrangements that involve property that has or may easily incur any environmental contamination. This is exactly the wrong result. At a time when we are seeking private action in community development and the creation of new jobs, we should facilitate private action in assisting with environmental cleanup. Simply put, if we clarify the extent of liability of secured parties, specifying the limits of such liability, then lenders may lend to businesses which desire to clean up property.

Ironically, lack of clarity in Superfund can impact not only on lending to clean up the environment, but also compliance with other environmental laws. For example, a small business may seek a loan to buy equipment to meet Clean Air or Clean Water Act requirements. The borrowing must be based on collateral, usually real property. Lender concerns about the Superfund and RCRA liabilities for the real property may prevent extending credit to clean up the property or to meet other environmental goals.

The EPA took a strong first step in adopting the Superfund rule. It is incumbent on Congress to now finish the job. I have introduced legislation to accomplish this; the bill follows my remarks with an accompanying section-by-section analysis. This bill generally parallels H.R. 1450, sponsored by over 270 Members in the last Congress, with additions made to make the legislation consistent with the EPA rule and to clarify technical terms related to financial transactions.

## THE NEED FOR LEGISLATION

Legislation is needed for a variety of reasons. First, the EPA rule is just that, a rule. It is currently under challenge in court and it will likely be some time before there is a decision in that case. In the meantime, there still is uncertainty for lenders as to whether transactions covered by the rule are actually protected from Superfund liability. Indeed, some recent court cases addressing the secured creditor exemption have been decided without reference to the rule. Further, EPA made the rule binding only prospectively, so it is unclear what protection is afforded to transactions started prior to the rule but still continuing today.

Second, the EPA rule does not address RCRA, the solid waste regulatory law which covers a broad range of business and other activities.

Third, the EPA rule does not address fiduciary issues. Since CERCLA and RCRA are silent on the extent of fiduciary liability, EPA felt constrained from adopting a rule that satisfactorily addresses this important question. The recent court case of *City of Phoenix v. Garbage Services Co.*, (No. C 89-1709SC (D. Ariz)) is the latest manifestation of liability for fiduciaries, such as trustees, for environmental harm they did not cause. As a result of decisions like this, thousands of banks and pension trustees, as well as many other individuals and institutions which act as fiduciaries, are exposed to personal liability for Superfund cleanups and RCRA remediation far in excess of the usually minor fees they service. Fiduciaries need clarification of the extent of their liabilities under these environmental laws.

The revised legislation I have introduced balances the concerns of secured parties and fiduciaries, the small business community and the environment. Clarifying the secured party exemption and providing certainty will result in greater lending not only for business purposes, but for private sector environmental cleanup as well. Clarifying the extent of fiduciary liability will ensure that these important functions performed for the benefit of third parties are not unduly burdened. Because the bill closely tracks the EPA rule on the matters covered by the rule, the legislation will also show that the Congress fully supports EPA's efforts, and intends that additional clarity and protection be afforded to secured parties and fiduciaries.

Today, I am joined in introducing this legislation by one of the most active supporters of the environment and small business, the able Congressman from Kansas [Mr. SLATTERY]. He has been actively working for a resolution of this issue at the earliest possible time. He is a leader in the Energy and Commerce Committee and I look forward to working with him to see this legislation enacted. I am also joined by Congressmen LaROCCO and MCCOLLUM of the House Banking Committee.

The time has come to finally resolve this issue. Cosponsorship has been strong, EPA has recognized the problem and it is now up to the Congress to act to produce needed certainty and stability while enhancing the operation of our environmental laws.

The text of the bill follows:

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. AMENDMENTS TO COMPREHENSIVE  
ENVIRONMENTAL RESPONSE, COM-  
PENSATION, AND LIABILITY ACT OF  
1980.

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 is amended—

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

(1) by striking the last sentence of paragraph 101(20)(A); and

(2) by inserting the following new paragraphs 101(20)(E) and (F):

"(E)(i) The term 'owner or operator' does not include a person who, without participating in the management of a vessel or facility, holds indicia of ownership primarily to protect his or her security interest in the vessel or facility.

"(ii) The term 'indicia of ownership' means any legal or equitable interest in property acquired directly or indirectly (I) for the purpose of securing payment of a loan or indebtedness, a right of reimbursement or subrogation under a guaranty, or the performance of another obligation, (II) evidencing ownership under a lease financing transaction where the lessor does not initially select or ordinarily control the daily operation or maintenance of the property, or (III) in the course of protecting a security interest or right of reimbursement or subrogation under a guaranty. 'Indicia of ownership' include evidence of interests in mortgages, deeds of trust, liens, surety bonds, guaranties, lease financing transactions where the lessor does not initially select or ordinarily control the daily operation or maintenance of the property, other forms of encumbrances against property recognized under applicable law as vesting the holder of the security interest with some indicia of title, legal or equitable title obtained at, or in lieu of, foreclosure, and their equivalents. A person may, but is not required to, hold title in property in order to hold indicia of ownership in that property.

"(iii) A 'holder of a security interest' is a person who holds indicia of ownership in property primarily to protect a security interest. A 'holder of a security interest' includes the initial holder (such as a loan originator) and any subsequent holder (such as a successor-in-interest or subsequent purchaser of the security interest on the secondary market); guarantor; lease financier or any successor where the lessor does not initially select or ordinarily control the daily operation or maintenance of the property; any person who holds indicia of ownership primarily to protect a security interest; or a receiver or other person who acts on behalf or for the benefit of a holder of a security interest.

"(iv) The term 'security interest' means an interest in property created or established for the purpose of securing a loan, right of reimbursement or subrogation under a guaranty, or other obligation or constituting a lease financing transaction. Security interests include mortgages, deeds of trust, liens, lease financing transactions in which the lessor does not initially select or ordinarily control the daily operation or maintenance of the property, trust receipt transactions, and their equivalents. Security interests may also arise from transactions such as sales and leasebacks, conditional sales, installment sales, certain assignments, factoring agreements, accounts receivable financing arrangements, and consignments, if the transaction creates or establishes an interest in property for the purpose of securing a loan, right of reimbursement or subrogation under a guaranty or other obligation.

"(v) The term 'participating in the management of property' means actual participation in the management or operational affairs of the property by the holder, and does not include the mere capacity to influence, or ability to influence, or the unexercised right to control facility operations. A holder is participating in management while the

borrower is still in possession of the property encumbered by the security interest, only if the holder either—

"(I) exercises decisionmaking control over the borrower's environmental compliance, such that the holder has undertaken responsibility for the borrower's solid waste handling or disposal practices; or

"(II) exercises control at a level comparable to that of a manager of the borrower's enterprise, such that the holder has assumed or manifested responsibility for the overall management of the enterprise encompassing the day-to-day decisionmaking of the enterprise with respect to—

"(aa) environmental compliance;

"(bb) all, or substantially all, of the operational (as opposed to financial or administrative) aspects of the enterprise other than environmental compliance. Operational aspects of the enterprise include functions such as that of facility or plant manager, operations manager, chief operating officer, or chief executive officer. Financial or administrative aspects include functions such as that of credit manager, personnel manager, controller, chief financial officer, or similar functions.

"(vi) The term 'primarily to protect a security interest' includes indicia of ownership acquired as a consequence of having or exercising rights as a holder of a security interest where the same is necessary or appropriate to protect the security interest, to provide for compliance with laws, to preserve the value of the property or benefits therefrom, or to recover a loan, indebtedness or right of reimbursement or subrogation under a guaranty or to redress any other obligation secured by such interest or to recover property subject to a finance lease. A holder of a security interest who directly or indirectly acquires full title or a right to title or possession of such property upon default under the security interest, or at, or in lieu of, foreclosure, or, in the case of a finance lease, upon expiration, cancellation, or termination of such lease, shall continue to hold indicia of ownership primarily to protect a security interest so long as such holder is diligently proceeding to sell or convey title or the right to title or to release such property on commercially reasonable terms at the earliest possible time, while preserving the property in the interim.

"(vii) The term 'property' means real and personal property and includes facilities, storage tanks, equipment, vessels, vehicles, and other modes of transportation whether by sea, land, or air.

"(viii)(I) The term 'guarantor' includes guarantors and sureties of security interests, securities, and other obligations, issuers of letters of credit and other credit enhancements, title insurers, and entities which directly or indirectly acquire indicia of ownership in the course of protecting a security interest or acting as such guarantors, sureties, issuers of letters of credit or other credit enhancements or title insurers, and the term 'guaranty' includes guaranties, surety bonds, title insurance policies, letters of credit and other credit enhancements, and other agreements with a guarantor relating to the obligations described in this subclause (I); and (II) 'directly or indirectly' includes any interest in property, security interest, indicia of ownership title, or right to title held or acquired by a fiduciary or similar entity for the benefit of a holder of a security interest.

"(ix) The terms 'borrower', 'debtor', and 'obligor' mean a person whose property is encumbered by a security interest and includes a lessee under a lease financing transaction.

"(x) Actions taken by a holder of a security interest to foreclose, sell, liquidate, re-lease or otherwise divest or cause the transfer of property subject to a security interest; or preserve or protect the value of such property; or otherwise to exercise rights of a holder of a security interest specified in subparagraph (v) above; or to assist the borrower, debtor, obligor, or lessee in winding down its operations or activities related to such property; or to abandon or release the property prior to foreclosure or its equivalents; or to require or conduct response action on, or relating to, the property; shall not be deemed 'participating in the management of property' within the meaning of this subsection (101)(20)(E). Completion of an environmental inspection or evaluation consistent with good commercial or customary practice by or for the use of a holder of a security interest is probative evidence that a holder of a security interest is acting to preserve and protect the property during the time the holder of a security interest may have possession or control of such property, except that this Act does not require a holder of a security interest to conduct nor does it require any environmental inspection or evaluation to qualify for this exemption.

"(xi) A holder of a security interest who, in taking actions referred to in subparagraph (x) above respecting property, actively and directly causes or exacerbates a release of a hazardous waste for which a Federal or an authorized State government determines that response action is necessary, shall be liable for the cost of such response action to the extent only that the release is directly attributable to such holder's activities, except that such a holder shall not be liable for response action costs arising from a release which commences before and continues after such holder takes any action referred to in subparagraph (x) above.

"(F)(i) The term 'fiduciary' means any entity which is considered a fiduciary under section 3(21) of the Employee Retirement Income Security Act of 1974, as amended from time to time, or who is acting as trustee, executor, administrator, custodian, guardian of estates, conservator, committee of estates of disabled persons, personal representative, receiver, agent, nominee or in any other fiduciary capacity for the benefit of another entity.

"(ii) A fiduciary who acquires ownership or control of property without having owned, operated, or participated in the management of that property prior to assuming ownership or control as fiduciary, other than for the benefit of a holder of a security interest, shall not be an 'owner' or 'operator' under this Act.

"(iii) Such a fiduciary who willfully, knowingly, or recklessly causes (in a direct and active manner) a release of a hazardous substance, for which a Federal or an authorized State government determines that response action is necessary, shall be liable for the cost of such response action to the extent only that the release is directly attributable to the fiduciary's activities, except that such a fiduciary shall not be liable for response action costs arising from a release which commences before and continues after such fiduciary acquires ownership or control of the property.

"(iv) Nothing in this subsection shall prevent claims against the assets that constitute the estate held by the fiduciary or the filing of actions against the fiduciary in its representative capacity.

## SEC. 2 AMENDMENTS TO SOLID WASTE DISPOSAL ACT.

The Solid Waste Disposal Act is amended—



(1) by adding at the end of section 1004 the following paragraph:

"(4) The terms 'owner', 'operator', 'generator', 'transporter', and 'person' do not include any entity which would not be an 'owner' or 'operator' within the meaning of paragraphs 101(20)(E) or (F) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.";

(2) by adding at the end of paragraph 9003(h)(a) the following sentence: "This definition shall be construed to be parallel to the provisions of paragraph 101(20)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.";

(3) by adding at the end of section 3006 the following subsection:

"(i) AMENDMENTS MADE BY 1993 ACT.—The provisions of section 1004(41) of this Act shall apply in each State having an interim or finally authorized State program to the same extent that such provisions apply in other States."

### SEC. 3. SCOPE OF APPLICATION.

The provisions of this Act shall apply to—

(1) all indicia of ownership acquired prior to the date of enactment that are held primarily to protect a security interest in property; and

(2) each fiduciary with respect to any property acquired by the fiduciary prior to the date of enactment.

### IN REMEMBRANCE OF "MIMI" GENTILE

#### HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. POSHARD. Mr. Speaker, today I rise to pay tribute to a man in my district who exemplified citizen participation in government. I am here to honor Dominick "MiMi" Gentile who passed away on April 17, 1993.

"MiMi," as he was often called, was both a close friend and a valued component to the success of the community of Colp, IL. As a former mayor, he was constantly trying to enhance the standard of living of the community. Mr. Gentile spent many years in public service going above and beyond the call of duty whenever necessary. A veteran of World War II, MiMi spent 44 years as the business manager of the United Association of Plumbers and Pipefitters Local 160. As a member of both the Veterans of Foreign Wars and the American Legion, his commitment to the community was only surpassed by his love for his family. The passing of Dominick Antonio Rocco "MiMi" Gentile is not only a loss for the community of Colp but for the entire 19th District of Illinois. I am honored to have this opportunity to pay tribute to his memory.

### PUTTING PEOPLE FIRST

#### HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. ROHRABACHER. Mr. Speaker, this was the title of candidate Clinton's campaign book. He has put a new meaning to that pledge.

When his administration is put at risk of a contempt citation with big fines or worse over preservation of White House tapes his administration as reported in the June 17 edition of a liberal Washington paper immediately seeks a stay of the lower court's order.

Contrast this with the action of President Clinton and his Justice Department when the entire American people's health, lives, and tax money are put at risk from Haitian refugees carrying the deadly HIV virus.

This administration didn't ask for a stay when everyone is at risk. And they may not even appeal the order to release the AIDS carriers into the population.

Apparently we've seen the reversal of another campaign pledge. Putting President Clinton first is the order of the day.

As for the American people—forgotten again.

### 1993 PUBLIC SERVICE SCHOLARSHIP WINNER FROM KANSAS, THIRD DISTRICT

#### HON. JAN MEYERS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mrs. MEYERS of Kansas. Mr. Speaker, the Public Employees Roundtable recently announced the recipients of the 1993 Public Service Scholarships. Only 9 recipients were chosen nationwide to receive scholarships from among more than 400 applicants. I am pleased that one of the recipients is Elizabeth Duran of Lawrence, KS, which is a part of my congressional district.

Ms. Duran was chosen because of her record of academic excellence and her plans to pursue a career in public service. Ms. Duran's winning essay focused on her decision to choose a career in public service.

The text of her essay follows:

#### WHY I HAVE CHOSEN A PUBLIC SERVICE CAREER

(By Elizabeth S. Duran)

Public service has interested me throughout my adult life because of my helping abilities and interest in people. Most of my professional employment in the helping professions has made me aware of numerous social and economic problems within Indian reservations of New Mexico, as well as non-Indian communities. As a result, I have made a diligent effort to be of service to my community by accepting positions through public employment and serving on community service boards and committees.

Currently, I am a Bachelor of Social Work student at the University of Kansas, School of Social Welfare, with a graduation date of May, 1993. I will pursue a Master of Social Work degree beginning in June, 1993. Due to my interest in social work and my concern about the low status of many social programs, I intend to pursue a doctoral degree in public policy and administration.

I have been especially motivated to seek a professional graduate degree in public service through social work because of my involvement in tribal government. As a lifetime member of the Tribal Council of the Pueblo of Pojoaque, I have been responsible to tribal members for assuring that their well-being is paramount in tribal decisions.

Throughout my tenure on this political body since age 18, I have been aware of poor economic conditions on Indian reservations and the many social problems encountered by my tribe's members and other American Indian people. I was elected to be the first woman in any tribally elected Pueblo office, specifically for position of tribal secretary. This is significant as women are not traditionally allowed to hold leadership roles in this patriarchal society. I have since served as tribal treasurer and was elected in 1974 to be the Governor of Pojoaque Pueblo, the highest tribal administrative position in a Pueblo Indian community. I currently retain the position of lifetime traditional council member.

Throughout my tenure on the tribal council, I have worked with other Pojoaque Pueblo officials as well as leaders of Indian nations throughout the United States. My accomplishments include frequent legislative lobbying at both state and federal congressional levels. I have also worked jointly with Indian leadership for betterment of Native Americans in legal issues of water rights, jurisdiction of civil and criminal matters, and tribal sovereignty. As Governor of Pojoaque Pueblo, I represented the tribe with the All Indian Pueblo Council, the USPHS Indian Health Board, the Northern Pueblos Housing Authority, and the All Indian Pueblo Council Education Committee.

I have also had the opportunity to serve as tribal judge. When defendants would appear in tribal court, I would be concerned with assisting the defendant in seeking treatment, obtaining social services to assist them and their family in resolving personal and family problems, or sentencing the defendant to community service as an alternative to jail time. This type of court response drew the attention of other tribal members who would come to court to ask for assistance or guidance, leading me to learn more about the social services available to the community and resources that could be beneficial to individual tribal members.

Another influencing factor in my decision to pursue professional social work education has been my deep concern for American Indian children. The school drop-out rate at my reservation was very high at the time when I first became involved in tribal affairs. Additionally, many of the children and young adults were encountering problems with alcohol and drugs, as well as personal identity crises. I worked with the Eight Northern Pueblos Council to develop a tutorial program within the Pueblos for secondary school age children. I also worked with public school systems to employ an Indian liaison worker who would be an intermediary between the school, parent, and tribe, to ensure that a child's needs and problems were being addressed. At that time, I felt that some of the children's personal identity problems were a result of their mixed blood quantum and loss of tribal language and heritage. I worked with neighboring Pueblo religious leaders to revive the sacred tribal dances at Pojoaque Pueblo. Because of my efforts, the ceremonial dances were performed for the first time in 1974, since passage of nearly a century. Additionally, I sought funding to develop a tribal language course (Tewa) for tribal members, as well as traditional arts and crafts classes. Through these efforts, there has been an increase in school attendance, as well as an increase in the number of tribal high school graduates. However, alcoholism and drug abuse continue to be an issue that needs to be addressed.

In addition to my tribal service, I have held employment with state and federal

agencies. I have been fortunate to have served underprivileged populations through my employment with the New Mexico Department of the Public Defender as an alternative sentencing worker and special investigator. I have been employed by the U.S. Bureau of Indian Affairs as a loan specialist and by the Eight Northern Pueblos CAP as a bookkeeper. In addition to public employment, I have volunteered with community service organizations to provide services to community members. Some of these include church services. New Mexico State University County Extension Service Board, foster parent with the New Mexico Department of Social Services, and counseling services under the First Judicial District Court First Offenders Program.

Although, the majority of my public service has been in working with Native American populations and the underprivileged, I believe that a career in public service will enable me to advocate for legislative and policy changes that will benefit the whole society. It is my intent to better myself through career in public service. The benefits of this will not only enhance my future, but, enable me to improve the quality of life of those who are less fortunate.

### STOP THE DOOMSDAY TOWER!

#### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. FRANK of Massachusetts. Mr. Speaker, our colleague the gentleman from Minnesota [Mr. OBERSTAR] recently published a very perceptive article documenting the waste of money that the Air Force is asking us to engage in by going forward with a new round of expenditures for the Ground Wave Emergency Network towers.

GWEN was designed for American use in fighting a nuclear war with the Soviet Union. It was intended to give us a communication network if Soviet nuclear weapons knocked out our existing network. In many ways this was a dubious expenditure years ago. Today, it is simply a silly one. There is absolutely no justification by any rational grounds for this continued expenditure of money, yet the Air Force has sought to go forward. Our colleague Mr. OBERSTAR has eloquently presented the case why we should do the taxpayers an enormous favor and stop spending money on this program. I ask that his article on the subject be printed here.

### STOP THE DOOMSDAY TOWER!

(By Representative James L. Oberstar)

A body at rest remains at rest. A body in motion continues to move in the same direction with the same speed unless a force is impressed upon it.—NEWTON'S FIRST LAW OF MOTION.)

Had Sir Isaac Newton lived today, he might have called his laws of dynamics the "Laws of Military Bureaucracies," since the First Law so closely describes the U.S. Air Force and its actions with regard to Ground Wave Emergency Network (GWEN).

GWEN is a system of 121 transmitters designed to provide a redundant military communications system resistant to electromagnetic pulse (EMP) and other effects of a nuclear attack. The Air Force has chosen a site near Lastrup—one of five potential sites

in Morrison and Crow Wing Counties—for a relay station. The Air Force plans to build a 299-foot tower and with two or three small equipment sheds on 11 acres. The site will be surrounded by an 8-ft. chain link fence topped with barbed wire.

A product of the Cold War, GWEN was designed to provide a national military communications network that would withstand the massive nuclear strikes anticipated in a U.S.-Soviet shoot-out. Such a network would ensure that orders from the President, or whatever is left of the federal government, will reach whatever is left of the American military.

In the atmosphere of the Cold War, thinking the unthinkable was a daily exercise in the Pentagon, the State Department regularly shaped foreign policy by countering—or preempting—Soviet moves, and brinkmanship was alive and well in the White House. The razing of the Berlin Wall and the disintegration of the Soviet Empire have changed the world, and the solutions of the past will not always fit the problems of today.

That message has not reached the Air Force, at least not the office in charge of GWEN. The GWEN bureaucracy is moving full steam ahead with plans to build and operate a communications system designed to survive a massive attack that was never very likely to occur, and the likelihood of which has now dropped to minuscule proportions.

Yet, the Air Force plods on. Now that the wheels of GWEN have been set in motion, force must be applied to bring them to a halt, or at least turn them in a different direction.

Congressman Collin Peterson and I have joined a coalition in the House to apply that force. We are co-sponsors of legislation, authored by Rep. Barney Frank of Massachusetts, to terminate the GWEN program. We are joined by fellow Minnesotans Tim Penny and Bruce Vento as well as our eastern neighbor, Rep. David Obey of Wisconsin.

This bill, H.R. 1555, would terminate the program. No ifs, and's or but's. The only money authorized to be spent on GWEN is whatever is needed to shut the network down.

All of this is not to say that the world is no longer a dangerous place. The United States and Russia still have thousands of warheads aimed at each other. There are new questions over the disposition of strategic weapons in Ukraine and Byelorussia, and there is always the danger that smaller powers or even terrorist organizations may gain the ability to go nuclear.

However, the tone of the times has changed. We are no longer engaged in a superpower standoff. Russia has turned inward to solve its long-ignored domestic problems. The same with Ukraine and Byelorussia. The sabre-rattling has stopped; the talk now is of friendship and cooperation with our former adversaries, and we continue to negotiate further reductions in the number of nuclear missiles on all sides.

Moreover, even though the threat of attack from a smaller power, such as Libya or Iraq, has grown, such an attack could never approach the size and scope of the 10,000-warhead exchange GWEN was designed to counter.

GWEN is not the answer. It is a waste of money at a time when deficits are high and budgets must be cut. Its extremely low frequency (ELF) transmissions pose a potential risk to the health of people, livestock and wildlife in Morrison County. It is a solution to a problem that has greatly diminished in

scope and may soon no longer exist. It is simply not needed now, if it was ever needed at all.

### INTRODUCTION OF RESOLUTION DENOUNCING TELEVISION VIOLENCE

#### HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. SLATTERY. Mr. Speaker, today I am introducing a sense-of-the-House resolution denouncing violence on television and urging broadcasters and cable programmers to either remove violent programming from television or adequately warn viewers that violent programming is being presented.

First, three different Surgeons General, the Attorney General's Task Force on Family Violence, the American Medical Association, the American Psychiatric Association, the American Academy of Pediatrics, and other authorities have all found that viewing televised violence is harmful to children;

Second, Americans watch enormous amounts of television, and many children will watch television for twice as many hours—22,000 hours—as they attend school;

Third, many children watch violent television programs without adult supervision or guidance;

Fourth, watching aggressive behavior causes children to become more aggressive, and behavioral scientists have isolated this effect from other factors. In one study, scientists found that childhood television viewing patterns are a better predictor of later adult aggression and criminal behavior than social class, parental behavior, child rearing practices, intelligence, and other variables;

Fifth, many studies of entire societies, conducted on small and large scales, show that violence and homicide rates increase dramatically after the introduction of television into a community;

Sixth, more than 20 years of research such as this has led to a consensus that watching televised violence increases children's aggressiveness and desensitizes them to the effects and implications of violence. The solidity of the agreement among respected scientists that televised violence is harmful nullifies arguments to the contrary by the television industry; and

Seventh, many other countries, including Canada, Great Britain, South Africa, Belgium, Finland, Australia, New Zealand, and France have taken action to combat the problem of television violence.

This resolution calls upon the four major television broadcast networks—ABC, CBS, NBC, and Fox—and their affiliates, independent television stations, the Public Broadcasting System, cable programmers, and cable operators: First, not to telecast programming containing dramatized violence; second, to superimpose explicit, on-screen viewer advisories—such as a small red "v" in the lower lefthand corner of the screen—throughout programming containing dramatized or documentary violence; third, to provide explicit audio and on-screen textual



viewer advisories immediately prior to transmittal of programming containing dramatized or documentary violence; fourth, not to transmit programming promotions or advertisements which contain dramatized or documentary violence; fifth, to develop a standard scheme for classifying television programming on the basis of the amount and type of dramatized violence it contains; and sixth, to educate and inform viewers about the harmful effects of exposure to television violence.

### THE VFW: THE PRIDE OF PATRIOTISM

#### HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. BARCIA. Mr. Speaker, I rise today to pay tribute to the Department of Michigan Veterans of Foreign Wars and Ladies Auxiliary on the occasion of their State convention. The Michigan department has been a vibrant part of this valued and essential national organization. As is well known, the plight of our service members is often soon forgotten after the din of battle has subsided. Many veterans are left to struggle to reshape their lives.

The emblem that symbolizes this great organization is the Cross of Malta. This emblem originated with the establishment of the Knights of St. John. The Knights were the first great brotherhood of men who fought to free the oppressed and administer to the sick and needy. The creed of this ancient brotherhood is carried on today by the work of the Veterans of Foreign Wars and Ladies Auxiliary.

Since August of 1913, and even earlier through the American Veterans of Foreign Service and the Society of the Army of the Philippines, the Veterans of Foreign Wars have been assisting our war veterans and stressing amongst themselves the values of comradeship, patriotism, and service. In the following year, 1914, the ladies auxiliary was established and dedicated to the principles of the parent organization.

The members of the Veterans of Foreign Wars and Ladies Auxiliary vow to give aid to worthy comrades, a helping hand to widows and orphans, and continued defense of every person's right to life, liberty, and the pursuit of happiness.

Right here in the State of Michigan the VFW has been instrumental in assisting the State legislature to create a fine structure of veterans affairs laws. These laws include the provision of bonuses for services in World War I, World War II, and Korea; and the establishment of a veterans trust which provides grants to veterans during times of emergency need. In Ann Arbor the Veteran's Readjustment Center has pioneered certain types of treatment for veterans with psychiatric disturbances. Additionally, Michigan has two old soldiers' facilities at Grand Rapids and Marquette to provide a haven for veterans who are ill and without ample funds during their later years.

In their efforts to assist children, the Veterans of Foreign Wars founded the National Home in 1925 at Eaton Rapids, MI. This home encompasses 640 acres of farm land and has

31 residences. The purpose of the home is to give each child a normal, healthy family environment to serve as a springboard to a useful adulthood.

One could go on and on testifying to the great efforts and accomplishments of these two fine organizations. In closing I wish to express my admiration and hope that the tradition they have built of honoring the dead by helping the living will become as ubiquitous as their poppies are near Memorial Day.

### IN HONOR OF RICHLAND MEMORIAL HOSPITAL

#### HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. POSHARD. Mr. Speaker, I rise today to pay tribute to a hospital which has served the community of Olney, IL, for the past 40 years.

In today's world of high technology medicine, rural hospitals are growing more scarce, even though they are badly needed. Too many people do not have access to proper medical care because hospitals in rural areas have shut down due to the lack of funds or the inability to keep up with the modernization of the medical field.

Richland Memorial Hospital has been able to survive through the last 40 years and still provide exceptional health care to the people of Richland County. Rural hospitals all over the country could take a page from Richland Memorial's book. This hospital stands as a model for rural hospitals and is deserving of the support it receives from the surrounding community.

I am certain that the people of Richland Memorial Hospital will continue to provide excellent health care for Olney, IL, and its surrounding communities for many years to come.

### THE TIMBER RECEIPTS STABILIZATION ACT

#### HON. LARRY LAROCOCO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. LAROCOCO. Mr. Speaker, today I am introducing legislation, the Timber Receipts Stabilization Act, to help bring some stability to timber dependent communities across the Nation.

County governments with national forests greatly depend on income generated by Forest Service timber sales. The current system returns 25 percent of gross revenues, including deposits to the Knutson-Vandenberg fund for reforestation and purchaser road credits for road construction to the States for roads and schools in the counties where the national forests are located.

My bill would replace this system by basing the annual payment on a rolling average formula whereby the previous five yearly timber receipt payments would be averaged. I believe there are three basic reasons for changing the current system.

First, the current system results in wide annual fluctuations in the payments to counties. This economic rollercoaster prevents counties from making prudent long-term budgeting decisions. Also, the decline in payments tends to coincide with economic recessions. Thus, at the time timber receipts are decreasing, the demand for county services is increasing. As a result an undue burden is placed on county budgets.

Second, in many areas across the West, timber harvests have greatly decreased over the last 3 years resulting in lower timber receipts and placing strains on county services. By establishing a rolling average, the impact of reduced timber harvests on county budgets would be greatly lessened.

Third, the current system encourages those who depend on county services, such as public schools, to seek increased timber harvests. A rolling average system of payments would compensate counties at a rate regardless of Federal agency management decisions.

I urge my colleagues to support this legislation to return fairness and stability to beleaguered county governments dependent on timber receipts.

The tables listing Forest Service revenues subject to revenue-sharing payments to States and the amount of payments each State received in fiscal year 1993 follow:

#### STATE BY STATE, THE ESTIMATED 1993 PAYMENTS

State	Payments from national forest receipts	Payments from land utilization fees on national grasslands
Alabama	\$1,280,056.52	
Alaska	4,621,250.03	
Arizona	5,214,970.86	
Arkansas	3,054,226.85	1,000.00
California	55,846,229.67	500.00
Colorado	4,651,786.42	110,125.01
Florida	1,232,756.02	72,000.01
Georgia	935,750.02	
Idaho	16,517,950.35	1,949.25
Illinois	71,225.00	
Indiana	9,963.70	
Kansas		384,081.25
Kentucky	609,297.32	25,000.00
Louisiana	2,530,000.01	
Maine	39,142.22	
Maryland		5,360.39
Michigan	2,022,075.45	50,500.01
Minnesota	2,655,961.39	
Mississippi	4,228,405.27	
Missouri	773,341.77	
Montana	12,233,257.11	
Nebraska	37,704.50	6,432.50
Nevada	370,658.64	
New Hampshire	574,330.64	
New Mexico	1,662,330.53	7,768.75
New York	1,400.04	
North Carolina	684,812.58	
North Dakota	54.54	2,903,989.00
Ohio	38,717.43	4,046.25
Oklahoma	420,628.74	442,611.17
Oregon	130,826,105.60	6,500.00
Pennsylvania	4,501,629.22	2,750.01
South Carolina	1,342,666.27	
South Dakota	3,657,433.78	98,144.02
Tennessee	463,188.97	
Texas	3,433,701.01	62,920.34
Utah	1,676,370.88	
Vermont	141,731.25	
Virginia	500,754.36	
Washington	31,146,278.42	
West Virginia	1,114,793.39	
Wisconsin	860,469.45	
Wyoming	2,157,856.90	335,550.01
Puerto Rico	16,250.01	
Grand total	304,157,513.13	4,521,227.97

TABLE 1.—Forest Service revenues subject to revenue-sharing payments to States

1978	\$955,313,000
1979	1,147,188,000
1980	983,672,000
1981	995,152,000
1982	591,898,000

1983 .....	644,963,000
1984 .....	938,653,000
1985 .....	913,947,000
1986 .....	1,081,131,000
1987 .....	1,177,352,000
1988 .....	1,299,746,000
1989 .....	1,497,698,000
1990 .....	1,419,197,000
1991 .....	1,199,615,000
1992 .....	1,128,243,000

## DEMOCRATIC UKRAINE A MUST

### HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. ROHRBACHER. Mr. Speaker, a democratic Ukraine is the key to the consolidation of democracy in Hungary, the Czech Republic, Slovakia, and Poland. Furthermore, Russia will never fully develop if Ukraine is not also free and prosperous. Ukraine is a critical key to democratic change in the region and should receive resources from the West commensurate to its importance.

Geographically, Ukraine is the second largest nation in Europe and has a population of 52 million people, making up over 20 percent of the population of the former Soviet Union. However, Ukraine received only 5.92 percent of United States aid allocated for the republics of the former Soviet Union.

The problems facing Ukraine are similar to most of the problems that face the CIS as a whole. It is struggling to develop democratic institutions and shed its totalitarian past. In the process, the Ukrainian Government seeks to do this while fending off political and economic instability.

Although progress has been made, Ukraine is engaged in a still unresolved struggle with Russia over the fate of the Black Sea fleet. Most importantly, hundreds of nuclear weapons are still located on Ukraine's territory and are a major source of contention with Russia.

Ukraine is rapidly emerging as a pivotal actor in defining the shape of post-Soviet Europe. Its army is the second largest in Europe. In strategic terms, Ukraine sits astride the southern Eurasian landmass, and it serves as a gateway between Central Europe, the Near East, and Asia. As the flow of commerce opens between these areas, Ukraine will be an area of unique economic opportunity.

For three and a half centuries the Ukrainian people have sought to escape the subjugation of their Russian overlords. Now they are within reach of consolidating and perfecting this process. If Ukraine is successful in its attempt to build a viable democratic regime, it could serve as an example for other republics in their democratization process.

As Ukraine continues its political and economic reforms, support from the United States will bolster Ukrainian security and symbolize American commitment to the success of the Ukrainian people, peace, democracy, and prosperity in a region once part of the Soviet empire.

## CONGRATULATIONS ON THE 50TH ANNIVERSARY OF ST. MATTHEW LUTHERAN CHURCH IN URBANA, IL

### HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. EWING. Mr. Speaker, I would like to commend the devotion of Pastor Paul F. Swartz and congratulate St. Matthew Lutheran Church on the occasion of its 50 years of service in the city of Urbana.

Throughout our Nation, communities are constantly being challenged by crime, ethnic strife, job loss, and many other related problems. In times of such adversity, religious establishments such as St. Matthew have been there to help pull our communities together. They have stood as the framework of our communities.

I also want to commend each member of the congregation for their commitment to the spirit and prosperity of St. Matthew Lutheran Church. The community should be thankful and proud to have such a strong congregation, and I know that the community of Urbana will continue to benefit from the good work of St. Matthew for another 50 years.

## FIRST C-17 DELIVERED TO THE AIR FORCE

### HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. HORN. Mr. Speaker, this week, the first C-17 Globemaster III to enter operational service with the Air Force was delivered to Charleston Air Force Base, SC. The plane, which was dubbed the Spirit of Charleston was piloted by Air Force Chief of Staff Gen. Merrill McPeak. Some 3,500 people—including Gen. Ron Fogleman, commander of the Air Mobility Command; representatives from the Army; the men and women of the 437th Airlift Wing, the first unit to operate the C-17; and supporters from the Charleston community, were on hand to witness the arrival.

Speakers at Monday's ceremony emphasized the importance of the C-17 to the U.S. military, and to the country. They noted that although the current airlift fleet has served the Nation well, it is simply wearing out. They also said that if the U.S. military is expected to be able to respond to the many unknown crises that will undoubtedly occur in the post-cold war world, it must have the ability to deliver troops and supplies anywhere in the world quickly and directly. Simply put, the more quickly troops and supplies are delivered, the more lives are saved.

The C-17 Globemaster III provides the United States the ability to carry large combat equipment and troops—or humanitarian aid—across great distances directly to small austere airfields anywhere in the world. The C-17 provides the country with the ability to respond. It provides the country flexibility in this unstable world.

Of course, development and production of the C-17 have not been without problems, but steady progress has been made. On May 11 the longest mission to date was flown—8.4 hours. Some 30,000 pounds of load was airdropped from the aircraft on May 26. As of the end of May, the 5 aircraft in the test fleet had flown 405 missions and more than 1,450 hours. The C-17 has flown more than 2,700 nautical miles carrying more than 160,000 pounds without refueling and has set 14 world payload-to-altitude records in its class. The McDonnell Douglas Corp. is working hard to improve efficiency as the plane enters the production phase.

The Department of Defense, under the direction of Undersecretary of Defense for Acquisition John Deutch, is conducting a rigorous review of the C-17 program and other options available to the Nation for airlift. This review will be completed in August. I applaud the actions of the Defense Department to ensure that candor and accountability are applied to the C-17 and all Defense contracts. It is my hope that at the end of this review the Office of the Secretary of Defense will be able to confirm what I, the men and women of the 437th Airlift Wing, and the over 35,000 people with 19,000 companies in 42 States who build the plane believe—that the C-17 is the right airplane for the country and that it is essential if we are to meet the Nation's airlift needs into the next century.

## CONGRATULATIONS TO THE 1993 GRADUATES OF ONEIDA'S DANCE STUDIO

### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. MENENDEZ. Mr. Speaker, I would like to take this opportunity to congratulate this year's graduates of Oneida's Dance Studio located in Guttenberg, NJ. These young ladies have worked long and hard to reach this point and I feel that their achievements deserve special recognition.

The graduates this year are Magge Hernandez, Rocio de la Rosa, Yolanda Mancha, Maria Pilar Vargas, Alicia Izquierdo, Veronica Gonzales, Sally Perez, and Ileana Montane. These young women have studied hard for many years and their dedication to their art is witnessed by the depth and breadth of their involvement. They have all studied dance for at least 10 years; some have studied as long as 14. Furthermore, they have all had the commitment and courage to take the skills that they have learned and apply them to local, regional, and national competitions. The graduates have performed admirably in these competitions and their many accumulated awards give testament to their abilities.

In short, Mr. Speaker, I am proud to have young women such as these as constituents. Their dedication and commitment to their art is an inspiration to all. There can be no doubt that they have earned the right to be called graduates of Oneida's Dance Studio.



IN HONOR OF LYLE R. JESSE

**HON. GLENN POSHARD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. POSHARD. Mr. Speaker, I rise today to pay tribute to a man in my district, Lyle R. Jesse, who on June 25, 1993, will celebrate his 40th anniversary in service to the First Christian Church in Findlay, IL.

It is a very rare occurrence to see one man so dedicated to one's church as Mr. Jesse has been to the people of the First Christian Church. While Mr. Jesse has been minister of the church through four decades and nine different presidents, his commitment to the church and its members has not changed. He has continually demonstrated the love and compassion to the church that has allowed it to continue to serve the community of Findlay. Today, I stand before the House to congratulate Lyle and his wife, Juanita. I wish them the best of luck in the future and hope that the next 40 years are as generous to both the First Christian Church and to the Jesse family.

# INTRODUCTION OF SCHOOL-BASED CHILDHOOD IMMUNIZATION PROGRAM ACT

**HON. PATRICIA SCHROEDER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mrs. SCHROEDER. Mr. Speaker, I am delighted that the President has announced a plan to fully immunize all unvaccinated children. His action did not come a moment too soon; 3 out of 10 2-year-olds are not adequately immunized. A recent assessment of preschool immunization levels in Colorado showed that only 61 percent of the children had received immunizations appropriate for them as they reached age 2.

The President is right on target when he pledged more money to purchase vaccines and to do something about the high cost of vaccines. Drug companies are notorious for escalating prices beyond a reasonable and even generous profit. A Senate Aging Committee report found that prescription drug prices rose 152 percent in the 1980's, nearly three times the rate of general inflation.

For childhood immunizations, the rates of increase are even more startling: Between 1980 and 1990, increases in the costs of both public and private sector vaccines ranged from 400 to 4,500. To top it off, there are only one or two drug manufacturers who still produce and market the vaccines—leaving the American consumer and the Federal Government little choice.

Dealing with drug companies is only part of the solution. A new creative approach to vaccine delivery also must be pursued.

Today, I am introducing the School-Based Childhood Immunization Program Act, which would fund up to 10 school districts to establish the neighborhood school as the family friendly vaccination spot and would use school nurses to coordinate the community's immunization program.

The largest group of children at risk of contracting preventable childhood illnesses, such as measles, mumps, and whooping cough, are infants and preschool children.

Most States now require that all children be immunized in order to attend school. This has resulted in nearly universal immunization among school-age children. There are growing pockets of children, however, whom we miss—migrant children, immigrant children, and a growing number of homeless children in urban, as well as rural and suburban communities who are in school without full or adequate immunization.

As a result, the incidence of purely preventable childhood diseases, such as measles, has risen—some 30,000 children fell victim to measles in 1990, with the highest incidence in the unvaccinated preschool population. More children died of measles that year than in any other year since 1971.

Other countries manage to do much better. Immunization rates for preschool children against diphtheria, tetanus, and pertussis average 41 percent higher in many western European nations than in the United States, and mean polio immunization rates are 67 percent above U.S. figures.

Even developing nations seem to have a leg up on the United States. UNICEF says the rates of immunization among infants in countries like Botswana and Brazil far surpass what the United States has been able to accomplish.

Reaching the unvaccinated population in the United States has been problematic for a variety of reasons. First, children cannot be reached if their parents have no access to the health care system. Over 9 million children have no health insurance. And, even when insurance is available, there is no guarantee that insurance will pay for the immunization. Fewer than half of conventional, employer-based insurance policies cover basic preventive services for children, such as immunization.

Nearly half of all immunizations are provided in the public sector at health departments or community health centers because the cost of immunization in the private physician's office has become prohibitive—especially when parents have no insurance. As a result, the public health sector has become overwhelmed. Long waiting lists for complete well-child exams, postponed appointments, and inconveniently located, understaffed clinics deter timely immunizations.

A recent Washington Post story reported that cuts of up to 40 percent in local health budgets have forced local health workers to juggle the immunizations of babies and toddlers with a growing volume of adult patients, largely uninsured, who have AIDS, tuberculosis, and other medical problems. As a result, the percentage of immunized children in large portions of suburban Maryland and Northern Virginia is now lower than it was when an intensive immunization drive began 18 months ago.

The National Vaccine Advisory Committee identified a serious provider shortage as one of the most significant barriers to timely immunization.

Under ideal conditions, children should receive immunizations in the context of a com-

prehensive preventive health care visit, but our system is not user friendly and misses many golden opportunities. Given the urgency of the crisis, the strain in the public health system, and even the total absence of physicians in some areas, we need to explore alternative providers and alternative locations.

My proposal does just that.

Public schools are still the only institution available for children in every community—the one central location all parents know about and can use despite their income or health insurance status.

For many children, school health programs become their only source of care and the school nurse their only contact with a health care provider. At the same time, the children seen by school nurses are increasingly coming to school with serious health problems that affect their ability to learn.

But because of State cutbacks in recent years, too few schools have their own school nurse and even fewer an organized school health program. In many instances, one school nurse may be juggling responsibilities for a multitude of schools with thousands of students.

This bill establishes an immunization program to be run by a school nurse in up to 10 schools in areas where immunization rates are lowest or the incidence of childhood communicable diseases is highest. Not only will the school nurse be available to immunize school children, they will be required to notify parents that vaccinations will be provided at school free of charge for infant and preschool siblings.

The bill also requires that the school nurse coordinate a community education program—working with county birth registries, health departments, community health centers, hospitals, and other groups to get the word out that immunization is important and that vaccines can be obtained readily at the local school.

The intent of this proposal is to establish a family friendly place where parents can bring all their children for the complete vaccination series, with no hassles, no medical bills, and less waiting. But the goal is also to reestablish the integrity of school health programs and get school nurses back in the schools. For many children, this could mean the difference between good health and serious illness.

I urge my colleagues to support this approach. It is a small demonstration effort that will not solve the whole immunization crisis, but along with other strategies put forward by the new administration, makes a step in the right direction.

Measles and whooping cough are warning signals that there is something seriously wrong with our health care system and we must work toward revamping the Nation's health care policy. But until Congress and the administration agree on major health care reform, we must take some action before an otherwise preventable childhood epidemic claims the lives of any more young children.

CALLING FOR GAO INVESTIGATION  
OF FREE TRADE ZONE POLICY  
AND AUDIT OF GRANTS FROM  
THE HURRICANE RELIEF FUND

**HON. PETER DEUTSCH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. DEUTSCH. Mr. Speaker, today I am calling on the General Accounting Office [GAO] to investigate the methods by which the Department of Commerce grants free trade zone licenses. In addition, I am calling for an audit of the Economic Development Administration's [EDA] procedures for awarding funds for emergency hurricane relief.

Free trade zones are established to allow goods to be imported into the United States for the purpose of export, not domestic use, without charge of Custom's duties or tariffs. The Department of Commerce maintains the authority to grant free trade zone licenses through the Foreign Trade Zone Board. Such special status may be granted to certain areas in order to promote economic growth once specific criteria within the department have been met. Department of Commerce regulations state, for example, that the Foreign Trade Zone Board shall only grant one free trade zone license per port area, unless the port is not adequately served by an existing free trade zone.

I am very concerned that the Free Trade Zone Board is not enforcing its own regulations regarding the issuance of free trade zone licenses. Specifically, I am concerned about a case in Miami, FL. Several years ago, a free trade zone was established in Miami termed the Miami Free Trade Zone. The Miami Free Trade Zone has operated successfully since its creation. Just recently, however, the Foreign Trade Zone Board granted an additional license to a new Miami area free trade zone called the Wynwood Free Trade Zone. The Board granted such a license despite the fact that there is no evidence that the Port of Miami is being underserved by the existing Miami Free Trade Zone. In addition, the Wynwood application contained several major procedural errors and misstatements.

I believe the improper issuance of free trade zone licenses is a serious matter which could lead to misdirection and squandering of funds. As a result, I am calling on the GAO to launch a thorough investigation into this matter.

Mr. Speaker, I am also very concerned that the Department of Commerce is considering an application to finance the establishment of the Wynwood Free Trade Zone out of funds allocated for hurricane relief.

The Congress passed the emergency supplemental appropriations bill which authorized the Economic Development Administration [EDA] to provide up to \$50 million in grants to areas damaged by Hurricanes Andrew and Iniki. The Florida congressional delegation fought long and hard to ensure the passage of this important legislation so that the people of Florida and Hawaii affected by these hurricanes get the Federal assistance they need and deserve to rebuild their lives and communities.

I am very concerned, however, to learn that the EDA is considering granting \$5.5 million of

the hurricane relief funds toward the establishment of the Wynwood Free Trade Zone. First and foremost, Wynwood is located in an area that was not affected by Hurricane Andrew. I find it hard to justify the use of hurricane relief funds in an area that was not affected by the hurricane. Second, the Wynwood Free Trade Zone is a public project which is designed to duplicate and compete with an existing free trade zone and displace the existing free trade zone's business by using government subsidies to provide below-market rents. I question whether it is appropriate to use EDA hurricane funds, or in other words public funds, to compete against an existing private entity.

Furthermore, the Miami Herald reported June 17, 1993, that the Department of Commerce will grant \$2.5 million of the funds allocated for hurricane relief to pay for a huge new market at the Omni International Mall in downtown Miami. While I have nothing against economic development, I have to question whether it is appropriate to allocate public funds for hurricane relief to enhance a mall in an area that was not damaged by the storm. It seems to me that the funds allocated for hurricane relief are not being used to help the people and communities that are most in need of Federal assistance.

Mr. Speaker, I believe the people of Florida, and all taxpayers, deserve to know how and why the hurricane relief funds are being spent. It is appropriate and responsible that such funds be spent only to assist the people who were affected by devastating hurricanes. For this reason, I am calling on the GAO to conduct an audit of the EDA's procedures for awarding funds for emergency hurricane relief. I plan to follow this important matter closely in the days ahead and I will keep my colleagues informed.

TRIBUTE TO WAYNE STATE  
UNIVERSITY

**HON. BARBARA-ROSE COLLINS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Miss COLLINS of Michigan. Mr. Speaker, I would like to share with my colleagues a recent column by William Raspberry that appeared in the May 26, 1993, Washington Post on an exciting new educational experiment that will take place in my congressional district. In September, Wayne State University will open the University Public School for Detroit students in grades 6 through 8 to better prepare them to be high achievers in high school and beyond. I applaud Wayne State for their commitment to our community, and wish them much success with this ambitious project.

The article follows:

[From the Washington Post, May 26, 1993]

NEW MODEL FROM DETROIT

(By William Raspberry)

I've been messing with my remote garage-door opener and thinking about the Detroit public schools. I've tested the battery, jiggled the wiring, double-checked the settings of those little plus-zero-minus doohickies inside to make sure they match those in the main unit.

After each adjustment, I test it again, always hoping—though not always believing—that this time it'll work. I'll try again tonight.

Detroit has been testing curricula, jiggling technology, double-checking things like philosophy, motivation and parental involvement. (A test run at all-male academies ran afoul of Title IX and was aborted.) And with every experiment goes the hope that this one will be the key to academic excellence.

They'll try again in September. That's when the University Public School—a 350-student middle school planned and operated by Wayne State University—opens its doors.

Tom Watkins, special assistant to the Wayne State president (David Adamany) for this experiment, is as hopeful about the school as I am about my garage-door opener—and for similar reasons. As with door openers, there's only a limited number of things that can go wrong, or be set right. Is size of enrollment critical? Is educational philosophy? Accountability? What is the role of curriculum, or testing, or teacher expectation?

Wayne State is sufficiently confident of working these things out that it has accepted some significant limitations. For starters, it will operate on the same \$4,300 per-pupil budget as other Detroit public schools and, like those other schools, will not screen its applicants for previous academic interest or performance. "In effect," says Watkins, "we'll have a lottery with six barrels—one for girls and one for boys in each of the sixth, seventh and eighth grades." The only attempt to get a fair racial representation has been to advertise the new school as widely as possible—from work sites and supermarkets to day-care centers and homeless shelters. More than 3,000 applicants already have signed up.

The biggest limitation, though, may be time. WSU will have its students for a maximum of three academic years (as little as a single year for entering eighth-graders) and still it hopes to turn out kids not just a point or two above average but excellent achievers, strong in math and science and art—even in physical and mental well-being.

What makes the university confident enough to put its reputation on the line?

Says Watkins, a former social work supervisor and state director of mental health services: "It begins with a firm belief that all children can learn—a belief that goes beyond rhetoric. Our operating yardstick for every rule, regulation or procedure will be as simple as this: Does it help a teacher to teach, or a child to learn? If not, we shouldn't be doing it."

He says it is important to understand that the new school is one of several "choice" experiments operating in Detroit—in addition to the private Cornerstone Academy, a non-denominational values-based school now operating on two campuses.

"The middle-school years are the forgotten years, and tremendously important years. We go out to recruit [high school] students for pharmacy, engineering or pre-med, and if they haven't taken their math and science courses earlier on, their prospects are quite limited. The middle-school years are the period when those decisions get made. And of course everything we learn, both as to what works and what doesn't work, we'll gladly pass along. This isn't about Wayne State, it's about our children."

The Wayne State undertaking, as ambitious in its way as Chris Whittle's Edison Project, raises a similar question: Once you get past the hopeful rhetoric and put real



teachers in a room with real children, will it work?

"It has to work," says Watkins. "Too much is riding on it. Our young people may be just 25 percent of our population, but they are 100 percent of our future. We've got to get them ready."

That sort of urgent optimism may be more important than technology in making our schools into the mind-opening institutions everybody says they must become. But it's also necessary to get the educational wires, batteries and doohickeys in working order. If Wayne State can get it done, terrific. Otherwise, we'll just have to try again.

## INTRODUCTION OF "ROUND 16" OF THE MONTANA WILDERNESS ACT

**HON. PAT WILLIAMS**

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. WILLIAMS. Mr. Speaker, today I rise to introduce the bill entitled "Round 16 of the Montana Wilderness Act—1993." This legislation is my most recent attempt to complete the consideration of wilderness designations for Montana. For 16 years, Montana's and other congressional delegations have attempted to resolve this issue. Let's finally do it. Let's do it to secure jobs. Let's do it to end the disagreements. Even the heavyweight championship fights were limited to 15 rounds, but here we are in the 16th round—the 16th year of this battle. Let's ring the final bell on this donnybrook.

Montana is one of only two States which has not completed this process. So I am again presenting RARE II wilderness legislation. A Montana wilderness bill passed the House last Congress but was blocked by Senate Republicans. I begin this new round of discussions not because I, Pat Williams, enjoy this struggle, but because it is crucial to future management of our forests; because it is critical that resource dependent industries have planning stability, because it is important for Montana to remain a hunting and fishing paradise, and finally because our citizens deserve an end to 17 years of controversy.

This proposal is not etched in stone and this is not a take-it-or-leave-it bill such as the Senate offered us last session. This proposal will be discussed, open for amendment, and hopefully passed to the President. And for a change we have a President who will sign this bill.

With this bill, I am introducing my fifth piece of legislation addressing the remaining RARE II wilderness designation in Montana. The various Montana wilderness bills introduced by members of our delegation have been the subject of 50 congressional hearings. We have sat through 235 hours of testimony, listened to the advice and recommendations of hundreds of Montanans from organizations claiming to represent, by the way, double the State's entire population. We now have 20 printed hearing records. We have heard from thousands of people who are concerned about the fate of wild lands in Montana.

Since I began consideration of this issue, four Presidents have served. All four have urged resolution of this issue, as our region's

highest priority for job protection. These were not casual partisan requests. They were bipartisan requests in response to direct testimony. "Settle RARE II or we will be unable to manage this Nation's resources in an appropriate way" has been the constant message sent to Congress by all administrations. It is important to note that after calling for its passage, President Reagan vetoed the Montana RARE II legislation Congress presented to him in 1988. That remains the only sustained veto in the history of the Wilderness Act.

We mean it when we say Montana is the "last best place" and as Montanans we are proud of the job we have done as the stewards of this Nation's natural resources. Montanans have always understood that some of the wild lands—wild lands that sustain our animal herds, give birth to our rivers, fuel our economies, and restore our souls—need to be protected as wilderness. It was a Montana Senator who oversaw the beginnings of the 1964 Wilderness Act and through the years the Montana delegation has led the way in applying that law to the protection of our important wild land heritage. Those successes are the flagships of our national wilderness system—the Bob Marshall, the Great Bear, the Selway/Bitterroot, the Absaroka/Beartooth. They also understood the importance of the less grand or less well-known wild places, such as Welcome Creek, the Rattlesnake, the Pintlar, and the Scapegoat. This is a heritage of which all Americans can be proud.

All other States, however, except Idaho and Montana have set the future course of management on their Federal lands through the passage of their wilderness bills. Perhaps the value and importance of our particular lands made the delay of our two States inevitable. Consider the resources: 15 million acres of unroaded wild lands across two States, the largest wild land base in the lower 48 States; the last remaining home of the grizzly outside of Alaska; the home of this Nation's largest herds of elk, big horn sheep, mountain goats as well as this Nation's healthiest populations of lynx, mountain lion, and cougar. Montana is the gatekeeper of two of this Nation's great national parks. We are the purifiers of some of America's most vital river systems—the Missouri and the Columbia. Private, State, and national efforts have made the Rocky Mountain Front in Montana the largest game recovery effort in the history of this Nation and now many consider the Front the Serengeti of the American West. There is no question that the stakes are high, and that makes the losses even higher as we struggle with no conclusion.

Increasingly there are calls to nationalize the wilderness solution in Montana and Idaho. During the last session bills were introduced by other Members of Congress and amendments offered on behalf of constituencies outside of my State. The most staunch opponents of wilderness deviously sought to paint every wilderness proposal as an out-of-State effort and subsequently some Montanans reconsidered their support for wilderness because of the fear that the issue was being taken away from them.

Let us all understand this from the outset: This bill has the "Made In Montana" label on it. There is no wilderness in this legislation

that has not been advocated by local Montanans and Montana groups. I have spent 14 years in the front rooms of the homes and in the offices of Montanans, and I have reviewed every comment submitted over that time by Montanans. This legislation reflects those efforts and those suggestions.

This bill reflects the snowmobile concerns of the West Yellowstone Chamber of Commerce. This bill reflects the proposal put forward by the Big Hole ranchers and the Beaverhead County commissioners. This bill reflects the Clearwater Monture historic agreements between timber and conservationists. This bill reflects the mining-wilderness agreements in Scotchman Peak.

I believe that Montanans know what is best for the stewardship of the lands that surround them. I submit this legislation as a reassertion that Montanans can best determine management of our roadless lands. I will continue to fight for Montana's right to determine this important matter.

Does this mean that every Montanan is in agreement? Of course not. There are far too many opinions on this subject for everyone to completely agree. There are far too many paid dissenters to believe that legislation won't have its group of opposition. But if one strips away the dogmatic rhetoric and addresses specific concerns, I believe that this bill or one very close to it results.

There are legitimate policy concerns, for example, in the Northern Swan Range. Ninety-eight percent of the trails and play areas now open and used by snowmobilers in the Flathead Forest remain open with this legislation. This bill leaves open the areas above Hungry Horse Reservoir and in the Red Meadow area in the Whitefish Range. Access to the lakes above Hungry Horse that are motorized traffic remain open under this bill. There is, however, a 7-mile piece of trail along the divide of the Northern Swan that is closed because of this legislation. Snowmobile use on that segment of trail did not negate the reams of information that the grizzly researchers have compiled regarding the bear's use of the Northern Swan during early spring and late fall. Appropriate management of the grizzly, including the necessity of keeping them in their habitat and away from populated areas in the fast growing Flathead and Seely Swan, is a critical goal.

I particularly want to note the language on water rights. The water rights language is a "western solution" worked out at the end of the last Congress. This language does not grant a water right to the Federal Government—let me repeat that, this legislation does not grant a Federal water right. This legislation does protect wilderness values, but by "means other than a Federal reserve water right." The western solution only works in headwater situations and it specifically addresses any concerns about wilderness dams and their maintenance. The ambiguity irrigators have suffered in the Bitterroot regarding repairs and maintenance would not have happened had this bill become law. By freezing the current status of water in wilderness, withholding any further Federal right, and specifically providing language for wilderness dams, this legislation crafts a careful compromise and is the strongest effort yet put forward for the protection of

Montanans water rights and wilderness values. This compromise should satisfy both sides in this longstanding battle.

My colleague, Congressman LAROCO, has introduced a wilderness bill for the eastern portion of Idaho that is adjacent to western Montana. I consulted with him on this bill and my legislation and his match, for the first time, in boundaries along critical wild lands. Congressman LAROCO, brought forward legislation that reflects not our State's political boundary lines drawn on a map, but rather boundaries that follow the way rivers flow and the animals migrate. My legislation does the same.

I urge my colleagues today to see the logic in this regional approach for protecting our wild lands.

#### SECTION-BY-SECTION FOR MONTANA WILDERNESS BILL

Section 1. Short Title. Round 16 Montana Wilderness Act of 1993.

Section 2. Findings and Purpose.

Section 3. (a) Wilderness.

(1) Anaconda/Pintlar Adds.

(2) Italian Peaks.

(3) East Pioneers.

(4) West Bighole.

(5) Stony Mountain.

(6) Selway/Bitterroot Adds.

(7) Lost Water Canyon.

(8) Custer A/B Adds.

(9) Blackfoot Meadow.

(10) North Fork.

(11) Bob Marshall Adds.

(12) Mission Adds.

(13) Swan Crest (Jewell Basin).

(14) Gallatin A/B Adds.

(15) Cowboys Heaven.

(16) Earthquake (Lionhead).

(17) Camas.

(18) Mount Baldy.

(19) Gates of the Mountains Adds.

(20) Black Mountain.

(21) Cabinet Mt. Adds.

(22) Scotchman Peaks.

(23) Yaak.

(24) Catarack Peak.

(25) Cube Iron/Silcox.

(26) Great Burn.

(27) Quigg Peak.

(28) Trout Creek.

(29) Nevada Mountain.

(30) Elkhorn.

(31) North Absaroka Adds.

(32) Snowcrest.

(33) Mount Jefferson.

(34) Flints.

(35) Crazy Mountains.

(b)-(h) Subsections list instructions for wilderness management.

(b) Filing of maps.

(c) Valid Existing rights preserved.

(d) Prohibition on buffer zone management.

(e) Grandfathering of current grazing.

(f) Reassertion of State fish and game authority.

(g) Hunting protections.

(h) Water collection devices grandfathered.

(i) Use of citizen advisory groups encouraged.

Section 4. Water. Water rights protections spelled out in this section.

Section 5. Special management areas.

(1) Mount Helena NRA.

(2) Hyalite Nera.

(3) Northwest Peak NRA.

(4) Buckhorn Ridge NRA.

(5) West Big Hole NRA.

(6) LeBeau NA.

(7) Ross Creek NA.

Section 6. Wilderness Study Areas.

(1) Sawtooth.

(2) Sheep Mountain.

(3) Crazy Mountains.

(4) South Cottonwood.

Section 7. Badger-two medicine.

Section 8. Lands administered by BLM.

(1) Release of a portion of Axolotl Lakes WSA.

(2) Release of Bitter Creek WSA.

Section 9. Montana ecosystem and economics study.

Section 10. Miscellaneous provisions.

(a) Redesignation.

(1) Education added to Rattlesnake Wilderness and Recreation Area title.

(2) Release of Maverick Mountain Ski Area conflict in West Pioneer CWSA.

(b) Gibson Reservoir mineral withdrawal.

(c) Acreage in Wilderness bill governed by maps.

(d) Access to Federal lands addressed and assured.

(e) Simplification of management of Bob Marshall, Great Bear, and Scapegoat Wilderness Areas.

Section 11. Authorization for appropriations.

(1) Funding authorization for Ninemile education and ranger training complex at Ninemile Ranger Station, Lolo National Forest.

(2) Sums for this act.

Section 12. Wilderness review.

(a) Findings.

(b) Release. All lands not designated shall be managed for multiple use in accordance with Forest Service plans—(standard in all wilderness bills).

(c) Plan revision. Forest plan revisions open all questions for discussion including wilderness.

(d) Further review. This provision prohibits a RARE III study.

(e) Previous plans. This provision sets aside all previous planning laws that might conflict with the NFMA process specified in 12(b).

(f) Revisions. Amendments to forest plans are not revisions as in (c).

(g) Size. Applies law to small areas.

(h) Wilderness suitability review. This section removes the RARE II court challenge and sets the forest plans on 10 to 15 year cycle for revision.

#### SUPPORT THE HAITIANS

**HON. CARRIE P. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mrs. MEEK. Mr. Speaker, the President did the right thing by complying with Judge Sterling Johnson's ruling that the 150 Haitian adults and 19 children on Guantanamo should no longer be detained there. The President was right to allow them to enter the United States because he recognized the fact that these Haitians meet our criteria for political asylum. Regardless of their health, they proved that they have a credible fear of persecution if they return to Haiti.

Concerning the health of HIV-infected Haitians, private and voluntary organizations, including the Archdiocese of New York, have offered assistance.

I commend the President for allowing these Haitians to enter the United States and urge him to not appeal Judge Johnson's decision.

#### LOVABLE LAWMAN

**HON. ANDREW JACOBS JR.**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. JACOBS. Mr. Speaker, perhaps the closet Indianapolis has ever come in law enforcement to the affable ideal of Andy Griffith was Sheriff Jim Wells. Nine times out of ten, he was able to find the peaceful way around confrontations which would otherwise have been violent.

But Sheriff Wells assembled a force with no Barney Fikes. His department was strictly professional. And Indianapolis mourns his untimely death.

[From the Indianapolis Star, June 17, 1993]

#### LOVABLE LAWMAN

As sheriff, James L. Wells was an unusually popular and lovable lawman in a community that has produced a number of well-liked and outstanding lawmen.

His warm personality, relaxed manner and friendly smile endeared him to people. That helps explain why as a Democrat running in a county that usually elects Republicans, he won two terms as Marion County sheriff, in 1978 and 1982.

He was a thoroughly professional lawman who rose through the ranks in the Sheriff's Department.

Having the instincts and flair of a showman didn't hurt. The sheriff became familiar to radio listeners with his traffic reports as the "County Mountie," he had among his political supporters Clayton Moore, television's Lone Ranger, and he was a crowd-pleasing sight in parades and at many public gatherings.

People were turned on by his lifelong devotion to charitable activities, such as organizing Easter egg hunts and annual Christmas tours during which deputies took toys to needy children in hospitals and visited the elderly, and his gifts to charitable causes.

They enjoyed his light-hearted personal tricks, such as carrying a Sheriff's Department identification card with a photo of Robert Redford. Once visiting Indianapolis, Redford introduced himself with an ID card bearing the sheriff's photo.

In 1982 readers of the Indianapolis Star named him Man of the Year. Jim Wells won many honors. They were deserved. His death at 59 takes not only a lovable personality but one of the community's best friends—one who set high marks in efficient law enforcement, charity and public service.

[From the Indianapolis Star, June 16, 1993]

**EX-SHERIFF JAMES WELLS WAS A POPULAR  
LAWMAN AND DEMOCRATIC STALWART**

James L. Wells, 59, popular two-term Marion County sheriff and major Democratic vote-getter, died Tuesday night in St. Francis Hospital Center.

He was diagnosed with a cancerous lung tumor in September 1991. The tumor was inoperable because it was too close to his aorta.

For 11 years, radio listeners knew him as the "County Mountie" for his helicopter traffic reports, first on WIBC-AM (1070) and later WXLW-AM (950). In 1982, readers of The Indianapolis Star named him their Man of the Year.

Mr. Wells held every rank in the Sheriff's Department before his 1978 election to the top spot.



He was the only Democrat elected to a Marion County office in the 1978 and 1982 elections. Both times, he drew more votes than anyone else on the ballot.

His popularity sprang from an unassuming manner, a reputation as a nice guy and a record of community service and efficient law enforcement.

He was a good friend; he did a lot for our profession," said Joseph G. McAtee, who succeeded Mr. Wells as sheriff in 1987.

Republican Mayor Stephen Goldsmith, who served as Marion County prosecutor during Wells' tenure, said through an aide: "He was always willing to help people. In the time we served together, he was always willing to put politics aside when public safety issues were involved. He was a good friend and contributed an inordinate amount to the community."

Marion County Clerk Faye Mowery, a Republican who ran against Mr. Wells for county clerk in 1986, also has fond memories of him.

"He was a great public servant. He will be sorely missed," she said. "He served his community well. It's just too bad to lose him."

"The city has lost a good friend," said Republican former Mayor William H. Hudnut III. "Democrats have lost a loyal ally. The Republicans have lost a worthy adversary. And many of us have lost a public servant whom we respected, enjoyed working with and deeply appreciated for his commitment to building a better city through effective leadership in law enforcement."

Jim was not only one of the nicest public officials, but the nicest man I've ever known," said Marion County Prosecutor Jeffrey Modisett, a Democrat.

Born in Brazil, Ind., Mr. Wells moved here with his family in 1951. A year later, he graduated from Emmerich Manual High School.

He began his career with the Marion County Sheriff's Department in 1956 as a deputy assigned to a highway patrol car. Through the years, he was promoted to sergeant, lieutenant, captain, major and deputy chief.

By 1974 his name was being mentioned as a possible candidate for the department's top job.

His political ambitions became too much for his boss, Sheriff Donald E. Gilman, who demoted Mr. Wells to captain in 1977 and reassigned him as an administrative assistant in the Jail Division.

Gilman had been appointed sheriff in March of that year after incumbent Laurence L. Broderick died in an automobile accident.

When he decided to launch a campaign for the office, Mr. Wells obtained a leave of absence from Jan. 1 to Nov. 13, 1978.

He was among 10 candidates for the Democratic nomination. In the primary, he defeated second-place finisher Gilman 13,248 to 4,466.

In the general election, Clayton Moore—the Lone Ranger of radio and television fame—campaigning on behalf of Mr. Wells. The masked rider returned to aid him four years later.

Mr. Wells beat Republican and former two-term sheriff Lee R. Eads, 109,780 to 76,954.

After the first victory, Mr. Wells paid hundreds of dollars to charitable organizations, whose members received 5 cents for every campaign poster they brought in.

In 1982, Mr. Wells was re-elected over Republican Jack Cotter by 151,259 to 102,272. His Democratic running mates in Marion County averaged about 120,000 votes. Mr. Wells' 151,259 was tops on the ballot. He drew 1,200 votes more than the second biggest vote-getter, then-Prosecutor Goldsmith.

Mr. Wells modestly credited his second electoral victory to his department's cooperation with Goldsmith during the preceding term.

Barred by law from a third consecutive term as sheriff, Mr. Wells agreed to run in the 1986 election for county clerk but was defeated by Mowery.

He then worked as security director for several major corporations before Gov. Evan Bayh, in January 1989, appointed him chairman of the Indiana Alcoholic Beverage Commission.

Mr. Wells devoted himself to many charitable activities throughout his career.

He organized Easter egg hunts and a long-running annual Christmas tour on which deputies visited the elderly and brought toys to hospitalized, underprivileged children.

He gained fame during his 11-year stint of radio traffic reports. Most of his dispatches as the "County Mountie" were on WIBC before a switch to WXLW in 1976.

Light-hearted stories also endeared Mr. Wells to Marion County residents.

He carried a Sheriff's Department identification card with Robert Redford's photo. On a visit to Indianapolis, Redford introduced himself with an ID card bearing Mr. Wells' photo.

The gregarious Mr. Wells belonged to many organizations and was honored repeatedly.

Those memberships included the Police League of Indiana, the National Sheriff's Association, Knights of Columbus and the Catholic Youth Organization public relations board.

Services at Daniel F. O'Riley Funeral Home are pending.

Survivors: wife, Suzanne K. Swartz Wells; son, Andy Wells; daughter, Theresa.

## WATERGATE AND THE GREEK CONNECTION

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. EDWARDS of California. Mr. Speaker, yesterday, during special orders I offered a statement regarding the "Greek Connection" theory for the Watergate break-in. The theory has been developed by professor and author Stanley I. Kutler in his book "The Wars of Watergate."

It has been brought to my attention that there was a clerical error in my submitted statement. I would like to take the liberty at this time of entering into the RECORD a corrected copy of the statement.

The statement follows:

#### WATERGATE AND THE "GREEK CONNECTION"

Today, June 17, is the 21st anniversary of the Watergate break-in which brought down President Richard Nixon, the first President in history forced to resign from office. The real motive for the Watergate break-in has long been shrouded in secrecy and confusion.

Professor Stanley I. Kutler, a distinguished Professor of History and Law at the University of Wisconsin at Madison, has written a fascinating book about Watergate which sets forth a compelling theory. The book is titled "The Wars of Watergate." In his close to 700 pages, Professor Kutler does not cite a single anonymous source. In short, it is a fully documented book. In this book, Professor Kutler details the "Greek Connection"

theory for the Watergate break-in. According to Kutler, "Significantly, the 'Greek Connection' theory of Watergate caused the most anxiety for the longest period of time for the Nixon Administration, and the agencies that served it."

In 1974, I was a member of the House Judiciary Committee which deliberated and finally voted the articles of impeachment of President Nixon because of the Watergate crimes. At the same time, between 1967 and 1974, I was chairman of the U.S. Committee for Democracy in Greece during the tragic years the Greek people suffered under the cruel military dictatorship of "The Colonels."

During that period, I met the Greek journalist, Elias P. Demetracopoulos, who had escaped from Greece after the military coup. We worked together to seek a change in American policy, which supported the military dictatorship. His efforts, which were those of a true Greek patriot, were an important part of the campaign here in America that sent a message of hope to the suffering people of Greece. Mr. Demetracopoulos is a central figure in the Greek Connection theory set forth in Professor Kutler's book.

In brief, Mr. Demetracopoulos in October 1968 briefed and provided proof to the Chairman of the Democratic National Committee, Lawrence O'Brien, that the Greek dictatorship, through its intelligence agency, KYP, (which had been founded and subsequently subsidized by the CIA), transferred three cash payments totalling \$549,000 to the Nixon campaign fund in 1968. The conduit was Thomas Pappas, a prominent Greek-American businessman with close links to the CIA, the Colonels, and the Nixon campaign. This transaction was not only a violation of federal law which prohibits foreign governments from contributing to presidential campaigns, but also was a significant violation of the CIA's founding charter which prohibits any intervention in U.S. domestic affairs.

If this disclosure had been known to the American people in 1968, candidate Nixon may well not have won the very close race with Hubert Humphrey, and consequently Watergate would never have happened. The break-in in 1972, according to Kutler's interpretation, was designed first to discover and then eliminate or reduce the risk that the Democrats would use the intelligence obtained in 1968.

In my judgment, the Greek Connection theory for the Watergate break-in is the most damaging for Richard Nixon because it tarnishes his foreign policy image. Nixon was among the strongest and most shameless defenders of the Greek military dictatorship. If the Greek Connection theory is indeed correct, it would appear, ironically, that Nixon paid for his defense of the Greek Junta with his Presidency. No less an authority than the former Director of the CIA, Richard Helms, believes that Kutler's book on Watergate is by far the best book on the subject.

Mr. Demetracopoulos has paid a very high price for passing his intelligence to Larry O'Brien. The FBI thoroughly and repeatedly investigated Mr. Demetracopoulos for a period of ten years at a cost of uncounted thousands of dollars to American taxpayers. In 1983, as Chairman of the House Judiciary Subcommittee on Civil and Constitutional Rights, which has oversight authority over the FBI, I asked Judge Webster, then its Director, to clear Mr. Demetracopoulos of any wrongdoing. This he did in 1984. Earlier, the CIA at last acknowledged a finding of no derogatory information concerning Mr.

Demetracopoulos. I possess the documents of the FBI and CIA on this matter.

I was delighted to learn recently that my FBI correspondence with Judge Webster concerning the clearance of Mr. Demetracopoulos, which provide the exact dates of his FBI investigations, contributed significantly, according to Professor Kutler, in enabling him to develop his theory concerning the Greek connection in the Water-gate break-in.

I am even more delighted to bring to the attention of my colleagues the story of Elias P. Demetracopoulos, a tenacious seeker of the truth, who persevered in his quest for justice in spite of the powers that were brought to bear in the effort to harass him into silence and to discredit him. His devotion to democracy and to the truth is truly inspirational.

#### IN REMEMBRANCE OF FRANCES "PELLE" JETER

#### HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. POSHARD. Mr. Speaker, I rise today in remembrance of Ms. Frances Pellegrini Jeter. Ms. Jeter left us on March 7 of this year.

Pelle, as she was called by many, was a sensitive, loving, and caring woman who enriched the lives of the people around her and everyone in the community of Herrin, IL. She was a member of the Daughters of Isabella, Eagles Auxiliary, and was a Herrin Democrat precinct committeewoman. She worked tirelessly on many important functions in order to improve her community. She was a remarkable person who was an asset to everyone around her.

Frances was one of my closest friends, having helped me in many of my political campaigns and served as one of my most trusted advisers. I will miss her greatly as will the people of Herrin who she served.

#### THE 100TH ANNIVERSARY OF THE SAGINAW BAY YACHT CLUB

#### HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. BARCIA. Mr. Speaker, I rise today to commemorate the 100th anniversary of the Saginaw Yacht Club in Saginaw, MI. The Saginaw Bay Yacht Club has served the local boating community of Saginaw with 100 years of continual service. The yacht club was incorporated on September 14, 1894, by 109 founders. The sons and daughters of these founders have carried on the tradition of the founders with their love for the local waters and fellowship of our bay.

Commodore William Jennison, the Saginaw Bay Yacht Club's first commodore, held the first meeting of the club on January 1, 1895, which started a tradition of leadership that has continued to this day, thus guiding the Saginaw Bay Yacht Club through times of economic hardship, wars, floods, and storms. The

hazards of yachting in those early days were much more dangerous than today because of the heavy traffic of steam tugs, tow barges, log rafts, and limited aids to navigation.

The first clubhouse for the yacht club was positioned at the end of Scheurman Street at the river in Essexville. Later the clubhouse was moved to the present location on the River Ice. A second structure was added in 1900 to serve the large sailing fleet with gracious dining and a loft for drying sails.

Mr. Speaker, the Saginaw Bay Yacht Club has served as the launching point for cruising to every possible harbor in the Great Lakes system. The yacht club has organized many regattas over the years inviting young men and women to participate in these events, instilling in their blood a love for ships and camaraderie which lasts a lifetime.

I would like to pay a special tribute to Charles Coryell of Bay City. Mr. Coryell was a member of the yacht club as well as elected commodore several times. Commodore Coryell owned and used over 40 yachts from runabouts to 90 feet. Thanks to Charles Coryell's interest and dedication, the yacht club was never lacking in public support.

Through the years the activities of the Saginaw Bay Yacht Club have involved both boating and non-boating families. The club's activities benefit all by promoting an attitude of respect for our waters.

Mr. Speaker, on the 20th day of June 1993, during the 99th year of the Saginaw Bay Yacht Club the city of Saginaw commemorates and dedicates the start of a celebration that will last until the 14th day of September 1994. I salute the 100 years of continual service to its members, guests, and the boaters of the Saginaw River system.

#### IN SUPPORT OF STRICTER GUN CONTROL LEGISLATION

#### HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. SHAYS. Mr. Speaker, today I would like to submit for the RECORD a letter to the editor of the Connecticut Post from Thomas Kennedy, chairman of the Department of Pediatrics at Bridgeport Hospital. This is a powerful letter in which Dr. Kennedy expresses support for stricter gun control legislation and I ask my colleagues to consider his remarks.

[From the Connecticut Post, Feb. 2, 1993]

A SUMMONS TO ACTION ON HANDGUNS

(By Thomas Kennedy)

We lost another child recently. Another anguished family mourned the loss of a beloved five-year-old. Another innocent victim of firearms: the inevitable consequences of a nation packing 200 million weapons and more than 60 million handguns. Bridgeport is filled with them. The caches of the Somali warlords pale by comparison. Gun owners are not just the dealers and the muggers. The weapons are in our homes, under our pillows and we justify their presence by the fear that we may need to defend ourselves against someone carrying one. Our society is dangerous and who can effectively raise a hand against an intruder with a handgun?

How have we come to this unfortunate situation? Quite simply, we went out and brought a weapon, like the purchase of a CD-player, a VCR or other indispensable products of our culture. We have been assured and our politicians convinced by the gun lobby that the "right to bear arms" is accorded to us in the U.S. Constitution; that Madison, Jefferson and the other framers of this document included that guarantee not only for the citizens of a fledgling country vulnerable to attack, but also to us at the turn of the 21st century who are defended by powerful armed forces and immune to invasion. Sadly, we have been saddled with this bizarre bit of logic for too long. Would we be losing 3,000 children and teenagers each year to firearms had the organizations and associations which have perpetuated our murderous epidemic been rebuffed 20 years ago and effective gun control legislation put in place?

Unfortunately, the most cogent argument against the kind of legislation we should have had then—nothing short of a ban on all handguns and semi-automatic weapons—is that now it may be too late. I hope not, I prefer to think we face a large, but not impossible task.

But first, we must resolve to confront it. We must realize that the easy access to guns affects us all and argue effectively to prevent their proliferation. We must speak to our legislators and press for restrictive gun control measures. We must insist on stronger support for law enforcement agencies to make our homes, our streets, our cities and our children safer. We must create educational programs to teach our children the dangers of firearms. Until then, we must be prepared for the tragedies which occur all too often in our city.

I watched a little boy die last week and I watched his family grieve. I am tired of it. We all ought to be. We must all stop watching and start doing something.

#### CONDEMN THE MASSACRE IN LIBERIA

#### HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. REED. Mr. Speaker, I rise today to express my outrage at the massacre that occurred on June 3, near Harbel, Liberia. This slaughter claimed the lives of almost 300 Liberian refugees, 90 percent of whom were women and children.

Throughout the 3½ years that this bloody civil war has raged, countless atrocities have been committed against the people of Liberia. In Liberia, as in other regions torn by civil war, civilians have become the greatest victims. Yet the victims of this slaying are not confined to Liberia. In Rhode Island alone, this massacre has left thousands of Liberian-Americans sick with fear and worry over the fate of their family members still living in Liberia, and over the future of their homeland. The continuation of attacks on innocent civilians, and the brutal manner in which hundreds of innocent women and children were targeted in the June 3 execution, make it painfully clear that the United Nations must intensify efforts to end the Liberian civil war.

I have risen in the past to express my support for international efforts to bring peace to



the people of Liberia, and I rise again today for this purpose, and to join the Clinton administration's condemnation of this murderous atrocity.

TRIBUTE TO THE LIFETIME  
SERVICE OF ED GRANGE

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. McINNIS. Mr. Speaker, I rise today to offer congratulations and thanks to Mr. Ed Grange, general manager of Holy Cross Electric Association, who retires this month after 43 years of service. For a summer's job that started in 1950, it sure has been a long summer.

When Ed Grange received a call from Holy Cross Electric in May 1950, while he was attending graduate school at the University of Colorado, offering him a summer job with the rural electric cooperative which had just recently moved its offices to Glenwood Springs from Eagle, little did he realize that the commitment for that summer working on construction records would develop into a 43-year career in the electrification of the Roaring Fork and Eagle Valleys. Coming to Glenwood in June 1950, was really a return back home for Ed since he was born and raised on a ranch near Basalt, was graduated from Basalt schools, went on to Western State College at Gunnison for a degree in mathematics and education, and then to the University of Colorado for graduate work.

As Ed reported to the Holy Cross two-room office in 1950, Holy Cross was serving approximately 700 consumers in the rural valleys around Glenwood with eight employees, compared to service today to over 33,000 consumers and 125 employees with district offices in Vail, Aspen, and Eagle and a headquarters located just south of Glenwood in a complex that was completed in 1983.

That summer stretched into winter and spring, Ed married an Aspen native, Lorraine Zelnick, and they soon decided that this was the place that they wanted to put down their roots and raise a family. From the marriage came five children, all of whom still live in Colorado.

As Holy Cross expanded, Ed moved through the ranks, doing whatever was necessary to help the association attain its goals. Ed explains that one of the real advantages of being involved in the growth of a small company to the second largest REA cooperative in Colorado was the opportunity to actually work in all facets of the operation. As the years passed Ed gained experience in many areas, from clerk to construction, from bookkeeping to office management, and then finally in 1975, the board of directors selected Ed to take over from George Thurston as general manager, a post he has served until his retirement at the end of this month.

Though he frankly admits that it is difficult to break the relationship with the people that he has gathered about him over the years, there is the realization that the time has come to change his focus to other personal goals. Ed

and his wife Lorraine plan to continue to call Glenwood Springs their home, but look forward to the freedom of spending time with their children and grandchildren, and to just generally kickback for a well-deserved rest from the pressures of the responsibilities of keeping the lights on 24 hours a day.

With a log cabin in the mountains at Fulford, south of Eagle, a well-tuned pair of skis and the history of an active life, both at work and in the community, Ed is ready to enjoy this new era in his life.

Mr. Speaker, it is truly an honor for me to recognize today the lifetime achievement and service of Mr. Ed Grange as both the general manager of Holy Cross Electric Association, and as a vital contributor to his community.

H.R. 2202, THE BREAST AND CERVICAL  
CANCER AMENDMENTS OF  
1993

**HON. MICHAEL BILIRAKIS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. BILIRAKIS. Mr. Speaker, due to events in my congressional district, I was unable to cast my vote, this past Monday, on H.R. 2202, the Breast and Cervical Cancer Amendments of 1993. However, had I been present on June 14, I would have voted "aye."

As an original cosponsor of this bill, I strongly support this legislation. This bill had broad, bipartisan support when it was first introduced during the 101st Congress. At that time, I joined most of my energy and commerce colleagues as an original cosponsor of this legislation.

A few years ago, Health Subcommittee members received Marilyn Quayle's first testimony before Congress concerning her mother's battle with breast cancer. Mrs. Quayle told subcommittee members that her mother's cancer had not been detected until it was too late. Ironically, her mother was a physician. Mrs. Quayle's message that day was simple—regular checkups and early detection on breast cancer saves lives.

My wife, Evelyn, and I believe it is vital to educate our community about breast cancer. Evelyn, in coordination with the Tampa Bay American Cancer Society, has been speaking to groups in Florida about breast cancer prevention and the importance of early detection.

Mr. Speaker, I believe all women should be screened for breast and cervical cancer on a regular basis and that we must make this screening available to those who cannot presently afford such necessary protection. The bill recently considered by the House reauthorizes a State grant program to provide breast and cervical cancer screening for low-income women.

Once again, I strongly support this bill and am pleased by the Congress' continuing interest in this very important issue.

NEVADA'S NUCLEAR NIMBY ROAD  
SHOW

**HON. J. DENNIS HASTERT**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. HASTERT. Mr. Speaker, this Member would like to commend to his colleagues the following editorial that originally appeared in the Chicago Tribune on May 2, 1993. It highlights the tactics that the State of Nevada is employing to delay the permanent burial of spent nuclear fuel at Yucca Mountain.

The article follows:

[From the Chicago Tribune, May 2, 1993]

NEVADA'S NUCLEAR NIMBY ROAD SHOW

Many things are theoretically possible in this world, including the possibility that one day in the distant future a railroad car carrying containers of spent nuclear-reactor fuel could be attacked by explosive-wielding terrorists to gosh knows what consequences.

It also is possible that a truck carrying such containers could veer off a highway, tumble down an embankment, split open, burst into flames and—well, the possible outcome is too horrible to contemplate.

And this could happen in Illinois, perhaps right here in the metropolitan area. It is not at all likely that it will; in fact, at the moment it isn't even theoretically possible. But the State of Nevada, as a public service, would like you to know that it maybe, possibly, remotely, someday-under-some-circumstances could.

Nevada is quarreling with the federal government, which has been trying for years to settle on a permanent burial place for used nuclear fuel. The Department of Energy would like to entomb it in Yucca Mountain, 70 miles northwest of Las Vegas, reasoning that stashing it in this remote location in a remote, sparsely populated state is a safer solution than leaving the stuff stored at the nation's nuclear power stations.

Of course, it is easy for us in Illinois to think this makes sense, which it does. It also is easy to understand why Nevada doesn't want any part of such a plan; no one ever does. But in fighting it, Nevada is carrying the Not In My Back Yard syndrome to an extreme, in effect making all the U.S. its back yard.

A spokesman for the state's Nuclear Waste Project Office visited Chicago to say that if the plan is adopted, much of the material may pass through our turf by train or truck, and if there is a truly severe accident, or a terrorist attack, the thick lead-and-steel containers could split and leak radioactivity. He admitted that this chance and the potential for danger is tiny; indeed, it has never happened in 22,000 shipments worldwide. But he wanted us to know anyway, and is carrying the message to other states as well.

The strategy is obvious: to exploit the gullibility, fear and confusion people have about nuclear waste in particular and all waste in general, and stir up a little hysteria for Nevada's cause. And it could work. It will provide new fuel for the anti-nuclear crowd, and people already paranoid about garbage dumps, incinerators and compost heaps will eagerly take the bait.

What Nevada is saying is we don't want nuclear waste here and we don't want you to want it here either. Thanks, Nevada, for the warning, but we have enough to fuss about in our own back yards.

TRIBUTE TO THE ROTARY CLUB  
OF WARREN

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO  
IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. TRAFICANT. Mr. Speaker, I rise in tribute to the Warren Rotary Club, a respected organization in my 17th Congressional District of Ohio.

Mr. Speaker, the Warren Rotary Club celebrates its 75th anniversary June 25, 1993. The club, which now boasts 135 members, has operated continuously since Mr. Frank Bentley assembled 17 business associates at the Trumbull Country Club in 1918.

Since its inception, the Warren Rotary Club has an impressive record assisting the community. Three major projects highlight its efforts: The club started the Boy Scout movement in the Warren area, originated the Children's Home for Orphans which became the Trumbull County Children's Services Board and, along with Halsey Taylor, founded the Crippled Children School which evolved into the Children's Rehabilitation Center. To this day, Mr. Speaker, the club supports these three projects.

In addition, the Warren Rotary Club has been a generous donor to disaster-ravaged areas. Recently, it sent financial support to Florida, Hawaii, Somalia, and Bosnia. In celebration of its anniversary, the club purchased and installed a carillon for \$20,000. Appropriately, the bell will be played at festivals and other civic functions.

Mr. Speaker, I would like to take this special opportunity to congratulate the Warren Rotary Club on their 75th anniversary. As you can see, they have truly adhered to the Rotary International Motto: "Service above Self."

END HATE CRIMES AGAINST  
TURKS IN GERMANY

**HON. JOHN EDWARD PORTER**

OF ILLINOIS  
IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. PORTER. Mr. Speaker, despite the frightening history of intolerance that erupted in Germany in the 1930's and 1940's and the realization among all civilized people that ideologies that preach that must never again be allowed to gain a foothold anywhere, there has been a disturbing increase in hate crimes targeted against Germany's 1.8 million Turkish resident aliens in recent months. More troubling has been the weak response by Germany's political leadership.

Neo-Nazi extremists have in increasing numbers targeted innocent, law abiding Turks for violent attacks. These human rights abuses are absolutely unacceptable and must come to an end. Over 2,000 racist attacks occurred in Germany last year, most of them the work of neo-Nazi groups. Seventeen foreigners were murdered in Germany in 1992. In the most noted hate crime, three Turks were killed in the town of Molln, which led to nationwide demonstrations and calls for the German Gov-

ernment to take more decisive action against fledgling fascist factions.

In just the first 5 months of this year, seven non-German inhabitants have been killed. Last month, five members of a Turkish family with longtime roots in Germany—two young women and three little girls—died in an arson attack on their home in Solingen. This month a Turkish mother and her five children barely escaped when their house was set on fire in a town 20 miles away from Solingen. In Konstanz, a Turkish restaurant was set aflame as two attempted arsons were reported elsewhere. So far, in 1993, there have been 561 attacks against foreigners, and appallingly high level by any standards.

Civilized people everywhere should be outraged by these cowardly attacks on ethnic Turks. The German people and their government must be called to account and the rule of law under which Germans say with pride that they live must be vigorously enforced and examples made of those who violate it.

Emergence of neo-Nazism and the use of the swastika symbol is a frightening reminder of the dark Germany of the 1930's and early 1940's. The appalling development of skinhead fascist movements must be halted and innocent Turks must be protected from further attacks.

With the liberation of Eastern Europe and German reunification, Germany has been flooded with foreign migrants seeking asylum. Last year, 450,000 foreigners journeyed to Germany and 160,000 have migrated already this year. The German Government has amended its constitution to tighten its liberal asylum laws, hoping, perhaps, to modify the fascists and to end attacks against foreigners. Unfortunately, the violence continues.

This alarming increase in attacks on resident Turks has prompted several well publicized counter demonstrations in cities throughout Germany, but to date the response of German political leaders, including Chancellor Helmut Kohl, has been weak and inadequate. While I applaud Chancellor Kohl's appeal last Wednesday for Germans to be more tolerant of foreigners and his announcement that he would move to liberalize citizenship laws for some foreigners whose families have lived in Germany for two and three generations, stronger action to protect the human rights of resident Turkish people must be forthcoming. The German Government must cease its footdragging and take effective and decisive countermeasures to the fascist activities aimed at promoting violence. In addition, all the perpetrators of hate crimes against Turks and other minorities must be apprehended and prosecuted to the full extent of the law.

Mr. Speaker, atrocities that transpired 50 years ago in Germany taught the world that constant vigilance against intolerance and those who hate is the only safeguard of human rights. These lessons must not be forgotten. I call on Chancellor Kohl and members of the Bundestag to show courageous leadership and take strong action to protect Germany's resident Turks and other resident foreigners from the violence of hate groups.

NAMING OF JACKSONVILLE, FL,  
FEDERAL BUILDING FOR  
CHARLES E. BENNETT

**HON. CORRINE BROWN**

OF FLORIDA  
IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Ms. BROWN of Florida. Mr. Speaker, I have the pleasure of representing the Third Congressional District of Florida, a district which for 48 years was represented by one of the greatest patriots the Congress has ever seen, Congressman Charles E. Bennett. Mr. Bennett retired last year after an illustrious career in public service.

His honesty and integrity are legendary and his 41-year voting record will not ever be matched.

To list his accomplishments would take days, but allow me to name just a few.

He authored the "Code of Ethics for Government Service," twice chaired the House Ethics Committee, and his legislation made "In God We Trust" our national motto.

Bennett was the principal author of important environmental, conservation, and national park legislation—including the Fort Caroline National Memorial and the Timucuan Ecological and Historic Preserve.

A great friend of the Armed Forces, Bennett's legislation provided newer, more modern ships for the Navy, increased pay for all service people, and created the Arms Control Agency.

Bennett was honored with six Watchdog of the Treasury awards for his fiscal conservatism awards.

In retirement, Bennett continues to be a great public servant. He donated all of his excess campaign funds to the Timucuan Preserve in Jacksonville, he serves as a lecturer at Jacksonville University, and is an active supporter of the Boy Scouts and other civic causes.

Because Congressman Bennett has done so much for his country and his city, I have introduced legislation naming the Federal building in Jacksonville, FL, the Charles E. Bennett Federal Building.

While I realize that no single act appropriately honors all that Congressman Bennett has done, I do want to pay tribute to him in some small way. I hope this legislation will do that.

AID TO CENTRAL AMERICA

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Ms. WOOLSEY. Mr. Speaker, I rise to address the issue of economic aid to Central America. During the 1980's, the wars of Central America dominated United States attention. Now that the countries of this region have made progress toward peace, not as much attention is paid to them. I urge my colleagues, however, not to neglect the recovery of these war-torn countries.

After many years of disruptive intervention in the internal affairs of countries such as



Nicaragua and El Salvador, the United States has a special debt to help promote peace and national reconciliation. While assistance levels to these countries have gone down, we must keep a watchful eye on two things. First, we must ensure that, unlike the past 12 years, aid to Central America serves to promote human rights, environmental protection, and real, inclusive democracy. Second, we must make sure that we provide assistance to help the democratic forces of these countries make this happen. After spending tens of billions of dollars to finance war in Central America, we should now find the resources to adequately fund the peace.

Aid to Nicaragua is being reduced this year by over \$100 million. After a decade of war which killed tens of thousands of people and destroyed the nation's economy and infrastructure, the people of Nicaragua are in great need. Former President Bush promised significant amounts of aid to the Chamorro government and failed to deliver. With the encouragement of Senator JESSE HELMS, the Bush administration withheld a large portion of the economic assistance which was pledged for fiscal year 1993.

I am thankful that after much hard work, my colleagues and I helped persuade the Clinton administration to release this aid. There is no doubt that this action on the part of President Clinton provided a big boost to the Nicaraguan people. Now, we must continue to show support for the Chamorro government's efforts at national reconciliation. I am hopeful that in the years to come, the United States will assist the people of Nicaragua to get back on their feet.

El Salvador is a different story. This year's foreign aid bill provides \$250 million in assistance to the Salvadoran Government. This amount of aid is justifiable only if we are sure it will be used to promote the principles I have mentioned: Human rights, environmental protection, and democracy. There are still reports of human rights violations by the military and national police in El Salvador. Progress is slow in preparation for free and inclusive elections, which are less than a year away. We must be sure that, unlike the 1980's, we are not funding a government that makes systematic attempts to repress its people and impede the development of democracy.

I urge my colleagues to support the aid provided to Central America in the foreign assistance appropriations bill, and to work in coming years to help the people of Central America recover from the suffering of the 1980's.

#### TRIBUTE TO CRAIG MOON

##### HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. CLEMENT. Mr. Speaker, I take great pleasure in rising today to recognize my friend Craig Moon, the president and publisher of the Tennessean. Gannett Publishing Co. recently named Mr. Moon 1992's outstanding newspaper publisher.

This is a high honor for Nashville, the home of the Tennessean newspaper, as well as for

Mr. Moon himself. Since coming to the Tennessean in 1991, Mr. Moon has been instrumental in moving the paper forward, while still maintaining its firm commitment to excellence. In addition to his commitment to the Tennessean and its success, he is also a dedicated member of the Nashville community.

Mr. Moon joined Gannett in 1985 as vice president of advertising for the Cincinnati Enquirer and the Cincinnati Post. He later served as publisher for the Ft. Meyers News Press and as publisher and president for the Arkansas Gazette. In 1991, Mr. Moon became the president of the Tennessean. Within a matter of months, he became both publisher and president.

Mr. Speaker, Craig Moon has displayed a unique dedication to Gannett and the communities it serves. His efforts to maintain high standards of excellence are to be commended.

#### TRIBUTE TO JESSE LEE ROBINSON

##### HON. WALTER R. TUCKER III

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. TUCKER. Mr. Speaker, I, Walter R. Tucker, III as a Member of Congress, am inserting the attached proclamation for Jesse Lee Robinson into the CONGRESSIONAL RECORD.

#### PROCLAMATION FOR JESSE LEE ROBINSON, 1911 TO 1993

Whereas, Jesse Lee Robinson was born January 12, 1911 in Hattiesburg, MS; and

Whereas, Jesse Robinson and his family pioneered an African-American presence in the all-white community of Compton in the 1950's; and

Whereas, Jesse Robinson, in 1954, formed the Compton chapter of the National Association for the Advancement of Colored People in his living room and served as president, and in 1963 became the first African-American to serve on the Compton High School Board of Trustees, and in the same year founded the city's Enterprise Savings and Loan and became chairman of the board, and

Whereas, Jesse Robinson, in 1974, became the first African-American to head Los Angeles County's grand jury, which undertook a study of the problems of Compton, and

Whereas, Jesse Robinson, in 1984, served as a track and field official at the Los Angeles Olympics and urged that the Olympic torch route include Compton; and

Whereas, Jesse Robinson was a sports enthusiast, was a track and field official for the Amateur Athletic Union for 25 years, and wrote a booklet about past Olympic athletes with roots in Compton, titled "Pride," which was distributed to Compton school children to inspire the citizens of Compton; and

Whereas, Jesse Robinson, after retirement from the U.S. Postal Service, founded Robinson Research, management consultants specializing in training employees, and taught business at East Los Angeles College; served as a co-chairman of the Greater Los Angeles Urban Coalition from 1970 to 1976, was active in the Salvation Army, the American Heart Association, the Grand Jury Association, Grand People, Boy Scouts of America, the USC and UCLA athletic programs and Compton College, and

Now, Therefore, I, Walter R. Tucker, III, a Member of Congress for the 37th Congressional District of the Great State of California in the United States of America do hereby proclaim that Jesse Lee Robinson was himself a hometown hero of the highest caliber, a true civic leader, a humanitarian, and a role model for children everywhere to emulate. As a testament to his good name and the legacy he leaves behind, I do hereby affix my signature to this document, and acknowledge that this proclamation is hereby entered into the CONGRESSIONAL RECORD this 18th day of June, 1993.

#### TRIBUTE TO GANG, INC.

##### HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. CALLAHAN. Mr. Speaker, I rise today in recognition of an extraordinary program that has boldly taken a leadership role in combating drug abuse and youth violence in the city of Mobile, AL. The Group Against Narcotics and Gangs, Inc. [GANG] is a community-based, nonprofit organization with the mission of implementing strategies to prevent drug abuse and violence among young people. Under the direction of Rev. Charles Harris, this mission is carried out by professional staff and volunteers with the many community organizations networked by GANG, Inc., who maintain contact with potential gang members and other at-risk youth.

This program has several components, including outreach, prevention, crisis intervention, victim support, and education. Plans for a future residential safehouse are also under way. Services have been rendered largely by unpaid volunteers representing numerous agencies in a variety of settings. Schools, housing projects, recreation centers, churches, and civic organizations have all served as sites for GANG program activities.

Mobile was recently designated as a weed and seed city by the U.S. Department of Justice. GANG, Inc., has been very active in the weed and seed initiative and has contributed much to its subsequent success. Perhaps the most visible achievement of GANG, Inc., has been the establishment of the nonviolent posse, a group of 17 young men who managed to sing their way right to the famous Apollo Theater in New York City. This proud accomplishment certainly demonstrates how commitment of time and effort can contribute to full realization of potential for young people who might otherwise be deemed at-risk.

Most recently GANG, Inc., has been working closely with the Boys and Girls Club of Mobile, the Mobile Mental Health Center, the Girl Scouts, the Mobile Police Department, and the Mobile Sheriff's Department to implement a Federal grant directed by the Mobile Housing Board to eliminate drug abuse and gang violence in public housing. These initiatives are supported and strengthened through cooperation with the Coalition for a Drug Free Mobile County, the Mobile County Juvenile Justice Coordinating Council and the U.S. Department of Justice. Such community coalition building is characteristic of GANG, Inc.

Mr. Speaker, June 27 will mark the second anniversary of the Group Against Narcotics

and Gangs. Few organizations can boast so many achievements in so short a time. Congratulations on a job well done.

# SMUGGLING OF ILLEGAL ALIENS: IT'S BIG BUSINESS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 18, 1993

Mr. BEREUTER. Mr. Speaker, the sudden and dramatic end to the voyage of the *Golden Venture*, which ran aground with its cargo of illegal aliens off New York City, has brought to the Nation's attention the fact that the smuggling of illegal aliens has become big business. It is estimated that last year over 100,000 Chinese were smuggled into the United States. If the trend continues, this figure will markedly increase this year. Even if these individuals are caught, they can delay and possibly escape deportation simply by asking for political asylum. As the June 9 editorial in the New York Times correctly notes, "America's ad hoc asylum policies have slipped out of whack with post-cold-war realities. This Member would ask that this editorial, entitled 'The Golden Venture, Plus 100,000' be entered into the RECORD. I would commend this insightful article to my colleagues.

Mr. Speaker, we can, and should, quickly begin this reform process by granting the INS the "summary exclusion" authority when requests for political asylum are obviously fraudulent. The INS personnel are begging Congress to grant them such power. Why won't the Judiciary Committee act?

[From the New York Times, June 9, 1993]

## THE GOLDEN VENTURE, PLUS 100,000

The four-month nightmare voyage of the *Golden Venture* ended Sunday morning when the tramp freighter dumped its starving and frightened cargo of nearly 300 Chinese immigrants into frigid waters off one of New York

City's most popular public beaches. Six passengers died from drowning or exposure, several had to be hospitalized and the remainder were sent to detention centers to await Federal hearings.

But for the estimated 100,000 illegal Chinese immigrants who arrive each year, mostly to New York, the nightmare typically goes on and on. The \$3,000 down payment they make to "snakehead" smugglers before departure—several years' earnings for a typical Chinese—covers barely a tenth of what they must ultimately pay to travel huddled below deck for months without adequate food or sanitation. The remaining money must be paid off through years of indentured servitude—virtual slavery—in Chinese restaurants and sweatshops.

For the immigrants, it's a cruel deception of the hopes that lured them from China in expectation of a "golden land" of easy affluence. For New York area law enforcement officials it's an explosive problem, as the Asian gangs and freelance criminals profiting from this human traffic grow increasingly rich, brazen and violent. And for Washington it's another warning—after the Haitian fiasco—that America's ad hoc asylum policies have slipped out of whack with post-cold-war realities.

Given the probable size of recent illegal Chinese immigration, the numbers of indentured laborers in the New York area must be huge indeed, certainly reaching the tens of thousands. City, state and Federal labor inspectors must make greater efforts to uncover scandalous labor conditions now masked by the terror of victimized workers, language barriers and an insular Chinatown culture. Specifically that will require recruitment and training efforts aimed at increasing the number of inspectors and law enforcement agents who speak the Chinese dialects used by most of the new immigrants.

Cracking down on the gangs and immigrant brokers will be especially difficult, given their decentralized nature. But it must be done. Almost weekly now, new reports surface of immigrants held hostage in warehouses. And last month's deadly shootout in Teaneck shows the escalating potential for

tragedy. Trafficking in humans is now said to offer easier profits than trafficking in drugs, and the penalties faced by those caught are much lighter, an anomaly that needs to be corrected.

Finally, well-intended Federal asylum policies have unwittingly encouraged widespread illegal Chinese immigration. Four years ago George Bush ordered that asylum be granted to those who left China to escape Beijing's harsh rule of one child per family. That claim could plausibly be made by hundreds of millions of Chinese who would not otherwise be considered political refugees.

The vast majority, perhaps 95 percent, of illegal immigrants from China enter the U.S. undetected and never see a Federal immigration officer. But of those who do, virtually all now claim asylum, and an astonishing 80 percent of those claims are approved, many times the percentage for other national groups. When word of the lenient new American policy got back to provincial China, departures for the U.S. began to surge dramatically. By some indicators there has been a tenfold increase in just the past two years.

One answer on the Federal level would be to subject these asylum claims based on the single-child policy to stricter standards of proof that actual persecution might take place. Another would be to expedite the hearings while preserving due process. Asylum claims now take about 18 months to evaluate, during which many claimants simply disappear into the general population. Washington could also work with Chinese authorities to publicize the indentured servitude and bleak prospects facing illegals in the United States, thus deflating the false hopes that fuel the boom in smuggling of human cargo.

It's unrealistic to pretend that illegal immigration from China, or anywhere else, can be completely halted. Economic incentives at both ends of the traffic are just too powerful. But it should be possible to reduce it to the most manageable levels that prevailed before 1991. The alternative is not just tolerating more *Golden Ventures*. It's tolerating slavery, in New York in 1993.